

# JOURNAL

OF THE

## SENATE OF THE STATE OF ALABAMA,

DURING THE SESSIONS COMMENCING IN

JULY, SEPTEMBER, AND NOVEMBER, 1868,

HELD IN THE

CITY OF MONTGOMERY.

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WITH AN INDEX,  
PREPARED BY THE SECRETARY OF STATE.

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1868.

# JOURNAL.

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SENATE CHAMBER, }  
MONDAY, July 13, 1868. }

In accordance with the proclamation of William H. Smith, Governor elect, dated June 26th, 1868, A. J. Applegate, Esq., Lieutenant-Governor elect, called the Senate to order, at 12 o'clock, meridian.

On motion of Mr. Barr, the chairman was authorized to appoint a temporary secretary, when Mr. M. P. Blue, of Montgomery, was appointed.

Mr. Foster offered the following resolution, which was adopted:

*Resolved*, That the president appoint a committee of five persons to examine and report upon the credentials presented by senators elect, which committee is to report as soon as practicable;

Under which resolution, Messrs. Barr, Whitney, Farden and Hinds, were appointed.

Mr. President Applegate then announced the enrollment of senators as next business in order, when the following senators elect came forward and enrolled their names, and deposited their credentials with the secretary:

Messrs. R. N. Barr, J. T. Foster, Burrell Johnston, Benjamin Lentz, J. W. Mahan, J. F. Morton, J. De. F. Richards, D. V. Sevier, H. H. Wise, D. E. Coon, Charles Hays, W. B. Jones, James W. Mabry, F. G. Bromberg, John Oliver, B. F. Royal, Isaac D. Sibley, F. D. Wyman, J. A. Farden, J. J. Hinds, Thomas Lambert, G. T. McAfee, W. B. Martin, John L. Pennington, H. C. Sanford, C. O. Whitney, and J. A. Yordy.

Mr. W. M. Buckley of Lowdes county, when his name was called, presented a communication relating to the election in his county, which,

On motion of Mr. Pennington, was referred to the committee on credentials.

On motion of Mr. Coon, the president was authorized to appoint a committee of three to wait upon the Governor elect and notify him that the members of the Senate were ready to be sworn in ;

And Messrs. Coon, Pennington and Barr, were appointed said committee.

Governor Smith soon appeared in the Senate chamber and administered the oath of office to the senators present.

Mr. Sibley offered the following resolution, which was adopted :

*Resolved*, That the rules and regulations of the late Constitutional Convention of the State of Alabama be adopted for the government of this body until otherwise ordered, and that the president appoint a special committee of three to prepare rules and regulations for the permanent government of the Senate.

The Senate then proceeded to the election of permanent officers.

Mr. Lambert nominated Mr. M. P. Blue of Montgomery, for Secretary of the Senate, who was elected unanimously.

Mr. Sibley nominated Captain Wade McDowell of Huntsville, for the office of Assistant-Secretary of the Senate, who was also elected unanimously.

Mr. Coon moved that the Secretary be authorized to appoint a second Assistant-Secretary of the Senate,

Which motion was lost.

Mr. Jones moved to create the office of Sergeant-at-Arms ;

Which motion was carried, and captain William M. Jones of Montgomery, was unanimously elected to said office.

The Senate then proceeded to the election of door keeper, and Messrs. H. H. Craig and Taliaferro Page were put in nomination.

Those who voted for Mr. Craig are, Messrs. Barr, Bromberg, Coon, Farden, Foster, Hays, Hinds, Johnston, Lambert, Lentz, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sevier, Sibley, Whitney, Wyman, Wise and Yordy—25.

Those who voted for Mr. Page are, Mr. Jones—1.

Mr. Craig having received the highest number of votes and a majority, was declared elected Door-keeper.

Mr. Pennington offered the following resolution,

Which was adopted :

*Resolved*, That the Secretary of the Senate be authorized to appoint one messenger for the Senate, who shall receive three dollars per day for his services ;

Which resolution was afterwards rescinded, and the Senate proceeded to elect two pages.

Eugene Carter of Montgomery, was elected without opposition.

Messrs. J. Goodin, Elliott Dixon and Taliaferro Page were put in nomination for second page.

Those who voted for Mr. Page are, Messrs. Coon, Farden, Hinds, Johnston, Jones, Lambert, Lentz, McAfee, Martin, Richards, Sandford, Wymon and Yordy—13.

Those who voted for Mr. Goodin are, Messrs. Barr, Hays, Mahan, Sevier, Sibley and Whitney—6.

Those who voted for Mr. Dixon are, Messrs. Pennington and Royal—2.

Mr. Page having received the highest number of votes and a majority, was declared elected as a page.

Mr. Foster from the Committee on Credentials, submitted a report on the credentials of all the members of the Senate who had enrolled their names;

Which credentials were found to be correct, and the members entitled to their seats.

Also, reported favorably to the communication of Mr. W. Buckley, Senator elect from the county of Lowndes;

Which report was concurred in, and the committee discharged.

On motion of Mr. Foster, Mr. Buckley was permitted to enroll his name.

On motion of Mr. Barr, the president was authorized to appoint a committee of three to wait upon the Governor and inform him that the Senate was organized and ready to receive any communication he may have to make;

And Messrs. Barr, Jones and Yordy, were appointed said committee.

Mr. Foster offered the following resolution, which was adopted:

*Resolved*, That Sergeant-at-Arms be authorized to procure pitchers, or other vessels, to contain water, and to have ice and water, and the Secretary be authorized to purchase stationery.

Mr. Farden also offered the following resolution, which was adopted:

*Resolved*, That editors and reporters for the press be allowed the privilege of seats within the bar of the Senate during the present session, to report for their respective newspapers.



On motion of Mr. Sanford, the Senate took an informal recess of twenty minutes.

After the recess, Mr. Pennington offered the following resolution, which was adopted :

*Resolved*, That the secretary inform the House of Representatives that a quorum of the Senate is present, that the body is organized, and is now ready to proceed to business.

Mr. Barr offered the following resolution, which was adopted :

*Resolved*, That the sergeant-at-arms be instructed to procure for the use of the president of the senate a *gavel* ; also, an American flag, to be placed in the rear of the president's chair.

Mr. Sibley offered the following resolution, which was adopted :

*Resolved*, That the sergeant-at-arms be authorized to procure copies of the rules and regulations of the late Constitutional Convention, for the use of the senate.

On motion of Mr. Whitney, the president was authorized to appoint a committee of three on the part of the senate to act with a like committee on the part of the house, to wait upon the Governor elect, and inform him that the two houses are now ready to receive any communication he may have to make.

Messrs. Whitney, Hays and Oliver, were appointed said committee on the part of the senate.

Mr. Farden offered the following resolution.

Which was adopted :

*Resolved*, That the sergeant-at arms be authorized to procure, or have repaired the locks on the desks of the Senate, and to have the committee rooms attached to the Senate, put in proper order.

On motion then, of Mr. Lambert, the Senate adjourned till 4 o'clock P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. Farden offered the following resolution :

*Resolved*, That the senators proceed to draw for seats for the session.

Mr. Hays moved to amend said resolution so as to draw by congressional districts ;

Which motion was carried.

On motion of Mr. Pennington, the whole subject was indefinitely postponed.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Coon, Farden, Hays, Hinds, Johnston, Jones, Lambert, Lentz, Martin, Oliver, Pennington, Richards, Sanford, Sibley and Whitney—17.

Mr. Farden offered the following resolution:

*Resolved*, That the secretary be empowered to appoint an engrossing secretary.

Mr. Jones moved to amend so that the Senate elect an engrossing secretary ;

Which amendment was adopted, and,

On motion of Mr. Foster, the resolution, as amended, was laid on the table.

Mr. Jones moved that the Senate do not entertain any more resolutions at present, except such as pertain to business ;

Which motion was lost.

The Senate then took an informal recess, subject to the call of the president.

After the recess, the following message from the House of Representatives was received :

HOUSE OF REPRESENTATIVES,  
July 13, 1868.

*Mr. President :*

The House of Representatives announce to the Senate that they have organized, and are ready to proceed to business.

W. B. CLOUD, Clerk.

Also, the following message from the House, by Mr. Goodfellow, assistant clerk :

*Mr. President :*

The House have appointed a committee to wait upon the Governor, and inform him that the two houses have organized, and are ready to communicate with him. The House asks the appointment of a similar committee on the part of the Senate.

House committee : Warner, Fister, Harrington.

W. B. CLOUD, Clerk.

Mr. Whitney, from the joint committee of the two houses, reported that the committee had discharged their duty, by waiting upon the Governor, and that he would soon communicate in writing ;

Which report was adopted.

Message from the Governor was received by D. L. Dalton, private secretary :

EXECUTIVE DEPARTMENT, STATE OF ALABAMA, }  
 Montgomery, July 13, 1868. }

*Gentlemen of the Senate and House of Representatives :*

I have received from Major-General Meade, commanding the Third Military District, an official order, numbered 100, in regard to organizing the General Assembly of this State. A duly certified copy of the order is herewith communicated for your information.

W. H. SMITH,  
 Provisional Governor of Alabama.

HEADQUARTERS, 3d MILITARY DISTRICT, }  
 Department of Ga., Fla. and Ala., }  
 Atlanta, Ga., July 9, 1868. }

General Orders, No. 100.

WHEREAS, By virtue of the act of Congress which became a law June 25, 1868, and of the proclamation of the governor elect of the State of Alabama, issued in conformity therewith, the two houses of the legislature are directed to assemble at Montgomery on the 13th inst. And whereas, in view of the fact that until the State of Alabama has complied with the requirements of the acts of congress entitling it to representation, all government and all officers in said State are provisional, and subject to the direct authority of the district commander. And whereas, the usual mode of organizing legislative bodies is in this instance impracticable. It is ordered :

1. That the Hon. William H. Smith, Provisional Governor of the State, proceed at 12 M. on the 13th inst., to effect such preliminary organization of both houses of the legislature as will enable the same to enter on the discharge of the duties assigned them by law.

2. That before each house shall be considered legally organized, the provisional governor will require that in conformity with the reconstruction acts, and the act which became a law June 25, 1868, each house, before proceeding to any business beyond organization, shall take measures to purge itself of all members who may be disqualified from holding office under the provisions of section three, amendment to the constitution known as article 14.

By order of

Major General MEADE.

R. C. DRUM, Assistant Adjutant General.

Official: W. T. HARTZ, Bvt. Maj. U. S. A., A. A. A. G.,  
 Sub-District of Alabama.

Mr. Farden offered the following resolution, which was lost :

*Resolved*, That the president of the senate be empowered to propound the following interrogatory to each senator :

1st. Have you ever publicly declined to accept the office to which you have been elected ?

On motion of Mr. Coon, the roll was called, and each senator required to rise in his seat and answer whether he be disfranchised from holding office under section three of the 14th amendment to the constitution of the United States.

When all present, twenty-eight in number, answered that they were not disfranchised.

Mr. Barr introduced a joint resolution ratifying the 14th amendment to the constitution of the United States ;

Which, under a suspension of the constitutional rule, was read three times forthwith and passed—yeas 26, nays 0.

Those who voted in the affirmative are Messrs. Barr, Bromberg, Buckley, Coon, Farden, Hays, Hinds, Johnston, Jones, Lambert, Lentz, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Wyman and Yong—26.

Which joint resolution was ordered forthwith to the house.

A message from the house was received, which covered joint resolutions of the house ratifying article 13 of the constitution of the United States.

On motion of Mr. Coon, said joint resolutions were immediately concurred in, under a suspension of the constitutional rule, being read three times forthwith—yeas 27, nays 0.

Those who voted in the affirmative are Messrs. Barr, Bromberg, Buckley, Coon, Farden, Foster, Hays, Hinds, Johnston, Jones, Lambert, Lentz, Mahan, McAfee, Martin Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Wyman and Yordy—27 ;

Which were returned forthwith to the house.

A message was received from the house, as follows :

HOUSE OF REPRESENTATIVES, }  
July 13, 1868. }

*Mr. President :*

The House of Representatives has originated and passed joint resolutions ratifying the 14th amendment to the constitution of the United States.

W. B. CLOUD,  
Clerk of the House.

On motion of Mr. Foster, the constitutional rule was suspended, and the joint resolution was read three times and passed forthwith—yeas 28, nays 0.

Those who voted in the affirmative are :

Messrs. Barr, Bromberg, Buckley, Coon, Farden, Foster, Hays, Hinds, Johnston, Jones, Lambert, Lentz, Mahan, McAfee, Mabry, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Wyman and Yordy—28.

Joint resolutions returned forthwith to the house.

On motion, the secretary was instructed to notify the governor that the senate had ratified the 14th amendment to the constitution of the United States.

Senate then adjourned till 10 o'clock to-morrow morning.

## SECOND DAY.

SENATE CHAMBER, }  
Tuesday, July 14, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin, of the M. E. Church North.

The journal of yesterday was read and approved.

Messrs. J. P. Stow and Philip King, senators elect, came forward and enrolled their names, found not to be disfranchised and were duly sworn in.

Mr. President announced the following Committee on Rules and Regulations :

Messrs. Bromberg, Barr, Coon, Farden, Foster, Lambert, McAfee, Richards and Sibley.

Mr. Bromberg introduced a bill to be entitled an act to continue in office certain municipal and State and county officers, and to ratify and confirm their acts ;

Which bill was read twice, and

Mr. Farden offered a substitute.

A message was received from the house, as follows :

HALL OF HOUSE OF REPRESENTATIVES, }  
July 14, 1868. }

*Mr. President :*

The House has passed the following joint resolutions on Rules and Orders. W. B. CLOUD, Clerk of House.

*Resolved*, That a joint special Committee on Rules and Orders be appointed, consisting of three senators and five representatives, for the purpose of preparing joint rules and orders for the government of the two houses in the transaction of joint business : and that said senators so appointed be a committee to prepare and present rules and orders for the use of the Senate ; and that the representatives so appointed be a committee to prepare and present rules and orders for the use of the House of Representatives.

*Resolved*, That the aforesaid committee have permission to sit during the hours of the session ; and that they are requested to report so soon as practicable ;

Which resolutions were concurred in by the Senate ; and

Messrs. Sibley, Pennington and McAfee were appointed said senate committee.

Mr. Whitney introduced a bill to amend the charter of the Wills Valley Railroad Company ;

Which was read a first time and ordered to a second reading.

A message was received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
July 14, 1868. }

*Mr. President :*

I am charged with a message from the House, proposing the appointment of a committee of three on the part of the House, with such as the Senate may join, for the purpose of ascertaining at what time it will be the pleasure of the Governor elect to take the constitutional oath of office.

Which was concurred in by the Senate.

Mr. Pennington offered the following resolution,

Which was adopted, and ordered forthwith to the House :

*Resolved*, That the two Houses of the General Assembly meet in the Hall of the House of Representatives this morning at 11½ o'clock, to attend in joint convention to the inauguration of the Governor elect.

Mr. Sibley, from the joint committee to wait upon the Governor elect, reported that the hour agreed upon for the inauguration was 11½ o'clock this morning.

A message was received from the House, as follows :

HALL OF THE HOUSE, Montgomery, Ala., }  
July 14, 1868. }

*Mr. President :*

The House has concurred in the Senate's resolution ap-

pointing joint committee to wait upon the Governor elect, to know his pleasure as to the hour of his inaugural.

WM. B. CLOUD,  
Clerk of House.

Another message was received from the House, which was as follows :

HALL OF THE HOUSE, Montgomery, Ala., }  
July 14, 1869. }

*Mr. President :*

The House has concurred in Senate joint resolution relative to a joint convention of the two houses.

WM. B. CLOUD,  
Clerk of House.

At 11½ o'clock, the Senate proceeded to the Hall of the House, as per resolution, to take part in the inauguration of the Governor elect.

Mr. Pennington was appointed a committee to wait upon the Governor elect and inform him that the two houses of the General Assembly were in joint convention and ready for the inauguration.

Within a few minutes, the Governor elect appeared in the Hall of the House, when the constitutional oath of office was administered to him by Mr. Speaker McCraw.

The Senate then adjourned to its chamber.

On motion of Mr. Farden, the Senate took a recess for twenty minutes.

After the recess, Mr. Hays moved to adjourn till 10 o'clock to-morrow morning.

Mr. Hinds moved to adjourn till 11 o'clock Thursday ;

Which motion was lost, and Mr. Hays' motion was also lost.

A message was received from the Governor, by Mr. D. L. Dalton, Private Secretary, as follows :

#### GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, }  
State of Alabama, }  
Montgomery, July 14, 1868. }

*Gentlemen of the Senate and House of Representatives :*

In assuming the duties of Governor of the State of Alabama, it will doubtless be expected of me to make at least a few general remarks to you, as the representatives of the people, touching the condition and needs of the Commonwealth.

I congratulate you upon the near restoration of our beloved State to that place in the Federal Union from which the mad counsels of folly and ambition so rudely tore her, and in which alone she can realize the blessings of peace and prosperity. It is especially gratifying that she will resume her place in the nation with a constitution embodying the fullest assertion of the just principle set forth in the Declaration of Independence—"That all men are created equal ; that they are endowed by their creator with certain inalienable rights ; that among these are life, liberty and the pursuit of happiness"—the principle which underlies the whole fabric of our National Government, and by which, in her short history, our country has achieved results hitherto unexampled in the world's annals. This principle has heretofore been applied to but a portion of our people. We now enter upon a new era, in which it is to be made applicable to all classes ; and as its partial operation has resulted so beneficially in the past, it is no violent presumption to suppose that its more extended application in the future will secure to us correspondingly greater blessings. It will be for you, gentlemen of the General Assembly, to frame the laws necessary to give effect to this principle. To this end, you need to exercise great moderation and firmness, and to avoid violence, so that all shall see in the future of the State, the wisdom and truth of the policy which seeks the good of the whole by the enfranchisement, the protection and the elevation of each individual member. Our Constitution affords to every man the same opportunity enjoyed by other men, upon the single condition that he will not seek to deprive his fellows of that which he esteems to be good for himself. Let our laws, made in pursuance of the Constitution, conform in like manner and justice and even-handed dealing, so that the humble or the ignorant shall have the same opportunity for the development of himself and his children with his more fortunate neighbor. Give every one encouragement to work out his own elevation, and from the efforts of individuals to advance themselves, we shall have the highest possible aggregate development of the State.

You are doubtless aware that many good citizens of Alabama have been misled by the enemies of reconstruction into a false belief concerning the purposes and aims of the new government. They have been made to believe that the government about to be inaugurated would be one of great extravagance and improper application of the public funds, burdening the State, so as to drive out good citizens and prevent others coming in. It will be a satisfaction to us to show by our actions the falsity of these misrepresentations, and to prove that the most judicious management of the public finances is



not only compatible with, but is a natural effect of the enlarged and liberal ideas we have adopted as the basis of our political action.

It is a matter for hearty congratulation in this connection, that with the assurance of her restoration to the Union, the bonds of Alabama have materially appreciated in the chief money market of the country. The generous confidence shown by capitalists in the integrity, as well as in the prosperity of our State, under her improved and liberal form of government will, I doubt not, be appreciated and reciprocated by you in efforts to maintain inviolate the good faith and honor of the State, and to show that the most stable and successful government rests naturally upon the most just and free institutions. To this end the utmost economy should be practised, consistent with fair remuneration for valuable services, and that due regard for the advancement of their interests which the people of the State have a right to expect at your hands.

The first of these interests is that of education. A sound and thorough common school system is not only the great want but the only hope of the Commonwealth. We are far behind most of our sister States in this respect. Thirty-seven thousand and six hundred of the adult white population of Alabama in 1860 could not read and write, and the colored people are still more deficient in education. The operation of our old labor system, now happily passed away, tended naturally to the production of one class possessing lands, wealth and education; and of another and larger class poor, depressed, and almost destitute of knowledge or desire for improvement. With enlarged freedom and full opportunities for individual development should come the most ample facilities for obtaining that information that makes a man the peer of his fellows, and enables him to protect his own interests, at the same time that he is better fitted to discharge his duties as a citizen. We must see to it that every one in the State shall have an opportunity of acquiring an education. For this purpose the expenditure need not be lavish or extravagant; but it should be ample and ungrudgingly bestowed, the more so as it is by far the best use to which the public funds can be devoted. It is true economy for the State to promote the education of all her children, for by no other investment will she so surely and so abundantly be repaid. The history of the States of the Union fully proves that the material prosperity of the commonwealth advances in the same degree that education is diffused among the masses of the people. It is with States as with the pyramids—the greatest danger lies at the base. If the foundation is not made secure by the ed-

education of the masses who form the basis of the nation, the whole superstructure must sooner or later inevitably crumble.

It will be for the Board of Education to arrange the details of the school system, subject to your power of revision. I trust the wisdom and advantages of the laws to be made in this connection will soon crimson with shame the cheeks of the authors of the senseless outcries raised by the enemies of our free constitution, against the provision for universal education.

Your attention will also be directed to the development of our material resources and natural advantages. The same system of labor which heretofore imposed ignorance upon the masses of the community, led our law-makers to neglect the elements of wealth with which Alabama is blessed by the Creator beyond almost any other State. Controlled by a rich and prosperous class, naturally indisposed to share their monopoly of profitable production, and averse to the introduction of diversified industry, lest its possessors might prove missionaries of doctrines inimical to that system upon which their prosperity apparently depended, our former legislators made but few efforts to attract to Alabama the population, labor and enterprise which have made other States outgrow her in numbers and wealth.

Our vast timber region has been comparatively unproductive; our mines are unopened, our grazing lands are ranged over by worthless dogs instead of sheep; our agriculture has been confined to a single staple, and pursued with a reckless disregard of its plainest laws; and our unsurpassed water power is suffered to run unimproved to the sea.

To change our policy in regard to these interests, to foster every enterprise that seeks to develop the natural wealth of the State, and attract hither a portion of the great tide of foreign immigration as well as of the skilled laborer and capital of the North, will be a pleasant and profitable task, and will doubtless engage your early and earnest attention.

The constitution recognizes the importance of our industrial interests, by committing them to the charge of a special department, for the support and efficiency of which it will be necessary for you to provide. To this department also is assigned the charge of the prosecution of a geological survey of the State. It is highly necessary that this great want should be supplied as soon as it can be done consistently with thoroughness and accuracy. The work of Professor Tuomey is a mere outline of the picture he did not live to complete, but its usefulness, and the avidity with which it is sought after by capitalists and men of science, clearly show the need of a complete and particular survey of the State.

It is also your duty, gentlemen, under the provisions of the constitution, and in accordance with the usage of this and other States, to provide for a suitable organization of the militia. We trust that the mission of the bullet has forever ended in our country, and that our work is henceforth to be prosecuted beneath the white wings of the angel of peace. It is hoped, therefore, that there will be no necessity for legislation in this respect, further than to provide such an organization of the militia of Alabama as will show to any who are evil disposed, that the authorities have means at command promptly to meet and punish any attempt to disturb harmony and good order.

It will be well in preparing the law for this purpose, to provide all necessary safeguards against the improper use of the organization. We would neither force nor threaten any who are law-abiding and peacefully disposed; and it is confidently believed that we shall find no more use for the militia hereafter than we had before the rebellion.

It may be well also to adopt such measures as may seem to you fit to preserve inviolate the perfect freedom of the ballot, and to provide certain and severe punishment for bribery and intimidation of voters. Your duty in this respect is plainly prescribed in section 36 of the Bill of Rights, and recent experience in this and adjoining States show the necessity of stringent legislation on the subject.

The constitution requires the General Assembly to provide from time to time, for a registration of electors, and it will be necessary to make some provision at your present session for the approaching general election. The main objection to any system of registration is its expense, and an opportunity will be afforded you in framing this law, to show your purpose to secure the most economical administration of the government.

It will be well, in my opinion, by a simple act of legislation, to conform the Code of Alabama to the changed relations of our people, and the alterations made in the organic law. I think it will be only necessary to make those provisions apply to all citizens which were heretofore restricted in their operation to white persons only. The Code is a very good one. It embodies the wisdom of many able jurists and wise men; its provisions have been the subject of well known decisions by learned judges, and are well settled and correct in principle. To discard it for a new one would be to incur a great expense, to entail much litigation upon the the people, and, after all, perhaps, to exchange it for an inferior system.

It is made the duty by the constitution to report to you the condition of the State and her public institutions. It is impossible for me at this time to comply with this require-

ment as fully as I would like, having no reports from the State institutions, and being unfamiliar with the details of the financial affairs of the Commonwealth. I have, however, been kindly furnished by Governor Robert M. Patton with an exhibit of the financial condition, which I beg leave to submit to you instead of any statement of my own.

With fortunes wrecked by civil war, our people are very poor, and the burthens of the government, under the most favorable circumstances, will necessarily be felt to be grievous. Let us then proceed with wisdom and caution. Let us make no violent changes in the laws or their administration. Let our only innovations be such as will adapt our institutions to the new basis of enlarged freedom, and secure the utmost possible benefit from our great natural wealth and our geographical advantages.

Above all, let us have peace, and as a great step towards peace—as an earnest to all our fellow citizens, that we mean peace and good will to all, I respectfully suggest to you the propriety of availing yourselves of the power, wisely conferred upon you by the constitution, of removing the disability to vote, imposed by the second clause of the third section of article seven of the constitution, upon those who are disqualified from holding office by the proposed amendment to the constitution of the United States, known as article XIV. The registration oath required to be taken by the voter, is intended to guarantee the perpetual possession of civil and political rights by all men in Alabama. I deem any disfranchisement unwise, except for crime.

It has been truly remarked, that any large number of persons disfranchised by law, will speedily constitute a running sore upon the body politic. Let us rather avoid such an evil than be compelled to find remedies for it. Our constitution, with this exception, provides for the civil and political equality of all men. Let us do away with the exception, and make our organic law perfect in its work of guaranteeing civil liberty to all men.

In conclusion, gentlemen, you will pardon me for again reminding you that you have assembled to legislate in the interests of the whole people. Knowing you as I do, and judging of your motives by what I know of my own, I am assured that you will perform your duty in no bitter or partisan spirit, and that your acts will one and all promote the prosperity and welfare of every citizen.

The waves of popular feeling run high after such a political storm as that from which we are now emerging, and the tendency of man, whose feelings have been outraged by wanton insults and merciless abuse and slander, is naturally toward retaliation when power is in their hands. But our revenge, if we need any, will be best obtained by steadily pursuing such a wise and prudent policy in the administration of the government as will command the confidence and respect of all true hearted and patriotic men.

Divesting ourselves of all selfish and partisan animosities, and cultivating that magnanimity of spirit which springs from the consciousness of right, let us endeavor to act well our part in this eventful age. With singleness of purpose, let us so legislate for this great Commonwealth that coming generations shall look back to this day as the greatest era in our history, and cherish in grateful remembrance those who have been the benefactors of their race. Recognizing our dependence upon Almighty God, in whose hands are the destinies of nations, and imploring his benediction upon your counsels, may peace and prosperity crown your efforts, and spread, not only over this Commonwealth, but over all the States of our restored and regenerated Union.

WM. H. SMITH.

On motion of Mr. Pennington, the message was read by the secretary, laid on the table, and fifteen hundred copies ordered to be printed in pamphlet form for the use of the senate.

Then, on motion,

The senate adjourned till 10 o'clock to-morrow morning.

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### THIRD DAY.

SENATE CHAMBER, }  
Wednesday, July 15, 1868. }

The senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin, of the M. E. Church, north.

The journal of yesterday was read and approved.

Mr. Worthy, senator elect from the 32d senatorial district, being present, came forward, enrolled his name, and being found to be not disfranchised, was duly sworn in by the president.

Mr. Mabry introduced a bill to remove the political disabilities imposed by the second clause of the third section of the seventh article of the constitution of this State.

Which bill was read a first time and ordered to second reading.

Mr. Bromberg, from the select committee, submitted the following report on standing committees :

The special committee to whom was assigned the duty of reporting a list of standing committees, respectfully report, recommending the adoption of the following resolution :

*Resolved*, That the standing committees of the senate be as follows :

- 1.—Finance.
- 2.—Judiciary.
- 3.—Accounts and claims.
- 4.—Municipal and county organization.
- 5.—Agriculture and manufactures.
- 6.—Militia.
- 7.—Education.
- 8.—Internal improvements.
- 9.—Grievances and disabilities.
- 10.—Banks and insurance.
- 11.—Privileges and elections.
- 12.—Enrolled bills.
- 13.—Printing.
- 14.—Rules and regulations.
- 15.—Taxation.
- 16.—Fees and salaries.
- 17.—Appropriations.
- 18.—Registration.
- 19.—Public buildings and institutions.
- 20.—Poor laws and charitable institutions.
- 21.—Federal relations.

FRED. G. BROMBERG,  
J. De F. RICHARDS,  
JNO. T. FOSTER,  
R. N. BARR,  
J. A. FARDEN,  
G. T. McAFEE.

Mr. President announced the following members of the standing committees :

*On Finance*—Messrs. J. P. Stow, T. Lambert, R. N. Barr, J. J. Hinds, F. G. Bromberg.

*On Judiciary*—Messrs. G. T. McAfee, R. N. Barr, W. M. Buckley, J. T. Foster, C. Hays, J. L. Pennington, D. E. Coon, J. A. Farden, D. V. Sevier, A. N. Worthy.

*On Accounts and Claims*—Messrs. J. T. Foster, B. Lentz, J. W. Mahan.

*On Municipal and County Organizations*—Messrs. W. B. Jones, H. C. Sanford, J. W. Mabry.

*On Agriculture and Manufactures*—Messrs. T. Lambert, C. O. Whitney, J. P. Stow, H. H. Wise, F. D. Wyman.

*On Militia*—Messrs. D. E. Coon, J. A. Farden, J. A. Yordy, I. D. Sibley, W. B. Jones, R. N. Barr.

*On Education*—Messrs. J. De F. Richards, J. L. Pennington, W. M. Buckley, B. F. Royal, I. D. Sibley.

*On Internal Improvements*—Messrs. J. A. Farden, D. E. Coon, G. T. McAfee, J. L. Pennington, J. De F. Richards.

*On Grievances and Disabilities*—Messrs. J. Oliver, R. N. Barr, J. F. Morton, C. O. Whitney, J. A. Yordy.

*On Banks and Insurance*—Messrs. J. J. Hinds, F. D. Wyman, J. P. Stow, G. T. McAfee.

*On Privileges and Elections*—Messrs. I. D. Sibley, W. B. Martin, H. H. Wise, B. Johnson, C. Hays.

*On Enrolled Bills*—Messrs. C. O. Whitney, J. F. Morton, J. A. Yordy, J. Oliver, W. Miller.

*On Printing*—Messrs. J. L. Pennington, W. B. Jones, J. A. Farden, D. V. Sevier, W. Miller.

*On Rules and Regulations*—Messrs. F. G. Bromberg, I. D. Sibley, J. J. Hinds.

*On Taxation*—Messrs. J. A. Yordy, T. Lambert, P. King, H. C. Sanford, W. B. Jones, A. N. Worthy.

*On Fees and Salaries*—Messrs. R. N. Barr, J. T. Foster, F. G. Bromberg, J. De F. Richards, C. O. Whitney.

*On Appropriations*—Messrs. F. D. Wyman, J. W. Mahan, J. Oliver, W. B. Martin, B. Lentz.

*On Registration*—Messrs. W. M. Buckley, J. A. Farden, J. L. Pennington, D. E. Coon, J. J. Hinds.

*On Public Buildings and Institutions*—Messrs. B. Lentz, W. B. Jones, H. C. Sanford, P. King, J. W. Mabry.

*On Poor Laws and Charitable Institutions*—Messrs. H. C. Sanford, J. T. Foster, J. F. Morton, R. N. Barr, D. V. Sevier, A. N. Worthy.

*On Federal Relations*—Messrs. H. H. Wise, W. M. Buckley, F. G. Bromberg, C. Hays, B. Johnston.

Mr. Pennington, introduced a bill to continue in office certain persons, &c.;

Which was read twice forthwith, and referred to the Judiciary Committee.

Mr. Coon introduced a bill to confer upon certain officers authority to administer oaths of office ;

Which was read twice.

Mr. Farden offered a substitute,

Which was adopted.

Afterwards, the vote adopting the substitute was rescinded.

Mr. Farden moved to refer the bill to the Judiciary Committee,

Which was lost.

The bill was read the third time forthwith, and passed, and ordered forthwith to the House.

Mr. Jones introduced a bill to provide for the execution of official bonds, &c. ;

Which was read and ordered to a second reading.

The Senate then adjourned till 10 o'clock to-morrow.

#### FOURTH DAY.

SENATE CHAMBER,  
Thursday, July 16, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin, of M. E. Church, North.

Journal of yesterday was read and approved.

Mr. President laid before the Senate the following communication from John Whiting, Commissioner and Trustee of the State Bank and Branches :


OFFICE OF COMMISSIONER AND TRUSTEE, }  
Montgomery, July 13, 1868. }

*To the Hon. the Speaker of the House of Representatives :*

SIR : For the information of the General Assembly, I beg leave to submit a statement of the State finances, connected with this office.

The indebtedness of the State on the 10th of January, 1861, on outstanding bonds, was as follows :

5	per cent. bonds, payable in	N. York in 1863,	\$1,889,000
5	"	" " " " " 1865,	52,000
5	"	" " " " " 1872,	168,000
5	"	" " " " " London 1866,	648,000
6	"	" " " " " " 1870,	688,000
			<hr/>
			\$3,445,000

 Interest on each amount payable semi-annually.



The interest on the bonds payable in New York, was paid up to and including the semi-annual dividend, due 1st Nov. 1861; on those payable in London up to and including the dividend of January, 1865. An act of the Legislature of the 18th of January, 1866, directed the issuance of new bonds, having twenty years to run from the first of May, 1863, to be substituted for those due in New York in 1863 and 1865, and for the purpose 1,941 bonds of \$1,000 each, were issued and placed in the hands of Duncan, Sherman & Co., financial agents of the State of Alabama in New York, except such as were presented here for exchange.

An act of the Legislature of the 13th of February, 1866, authorizing the issuance of bonds having (20) twenty years to run from the 1st of November, 1866, to take up and fund the unpaid interest from the 1st of November, 1861, to and including November, 1866, which was done by the issuance of bonds amounting to \$473,800, and placed in the hands of Duncan, Sherman & Co., as above.

Neither the exchange of the bonds nor the funding of the interest has been completed, but both are progressing as fast as the old bonds and coupons are presented.

At the date of the last account rendered by Duncan, Sherman & Co., 1865 bonds had been exchanged, and \$460,400 of coupons funded.

An act of the Legislature of February, 1867, authorized the bonds due in London in 1866, to be extended with bonds of a similar kind, having twenty years to run from the 1st of July, 1866, and in pursuance thereof 648 bonds of 225 or \$1,000 each were issued and sent to the Union Bank of London, Finance Agent of the State of Alabama in London, to be exchanged for those due in 1866. The act of the Legislature of the 13th February, 1866, authorizing the funding of the unpaid interest in New York, also authorizing the funding of the unpaid interest due in London from January 1st, 1865, to and including 1st January, 1867, with bonds having twenty years to run from 1st January, 1866, and bonds for that purpose, amounting to \$147,300, were issued and sent to the Union Bank, of London.

The accounts from London, showing the amounts exchanged and funded, have not been received of late date, but are daily looked for.

The interest payable on the bonds in New York, from 1st of May, 1867, to and including the dividend due May 1st, 1868, has been paid; and also, that on the bonds payable in

London from 1st June, 1867, to and including 1st January, 1868.

The next installment of interest to be provided for will be due in New York on the 1st of November next, and amounts to \$64,570 00. The next thereafter will be due in London on the 1st of January next, \$20,295 00, besides the current rates of sterling exchange.

The bonded debt of the State, connected with this office, now stands as follows, viz :

5	per cent. bonds, payable in N. York in 1872,	\$	168,000
5	" " " " " " 1873,		1,941,000
5	" " " " " " 1886,		473,000

The above interest is payable in May and November.

6	per cent. bonds payable in London in 1870,	\$	688,000
	Interest payable 1st of June		

5	per cent. bonds, payable in London in 1886,	\$	648,000
5	" " " " " " 1886,		64,800
6	" " " " " " 1886,		82,500

Interest payable 1st January and July.

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\$4,066,100

The statement refers only to the bonds connected with this office, and does not include the 8 per cent. bonds issued and disposed of by the Governor, under authority of the act of the Legislature of the 15th of December, 1865.

J. WHITING,

Commissioner and Trustee.

Which was read and referred to the Committee on Finance.

Mr. Wise offered the following resolution,

Which was adopted :

*Resolved*, That the Secretary of the Senate be authorized to procure a copy of the Revised Code, and the Acts of the Legislature of '66-7, and lay upon the desk of each member of the Senate, for their use, during the present Legislature.

Mr. Sibley offered the following resolution,

Which was adopted :

*Resolved*, That the Committee on Printing be instructed to take into consideration the public printing of the State, and to report by bill or otherwise.

Mr. Coon introduced a joint resolution of thanks to Bvt. Brigadier General O. L. Shepherd,

Which was read three times forthwith and passed.

On motion of Mr. Pennington, the Secretary was author-

ized to have necessary printing for the Senate done temporarily, until the Committee on Printing can meet and make a report.

Mr. Farden offered the following resolution,

Which was adopted :

*Resolved*, That the Sergeant-at-Arms procure for the use of the Senate copies of the Journal of the State Constitutional Convention of this State.

A message was received from the House, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Montgomery, July 16, 1868. }

*Mr. Speaker :*

I am directed to inform the Senate, by the House, that it has adopted a joint resolution to provide offices in the capitol for certain State officers.

W. B. CLOUD,  
Clerk of the House.

Mr. Pennington, from the Committee on Rules and Regulations, submitted a report ;

Which was read, and sixty copies ordered to be printed.

Mr. Pennington offered the following resolution :

*Resolved*, That Rev. John P. McGutchen be appointed Chaplain to the Senate.

Mr. Jones offered the following substitute :

*Resolved*, That the President of the Senate call some one to open the Senate with prayer, each morning ;

Which substitute was lost and Mr. Pennington's resolution adopted.

Mr. Martin introduced a bill to change the county site of Russell county ;

Which substitute was lost, and Mr. Pennington's resolution adopted.

Mr. Martin introduced a bill to change the county site of Russell county ;

Which was read twice and referred to the committee on County and Municipal Organizations.

Mr. Foster offered the following resolution :

*Resolved*, That the Secretary be empowered to appoint an Enrolling Clerk ;

Which, on motion of Mr. Pennington, was amended so as

to read Journal Clerk, and as amended, the resolution was adopted.

A message was received from the Governor by Mr. Dalton, Private Secretary, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed a "bill to confer upon certain officers authority to administer oaths of office.

The bill to amend the charter of the Wills Valley Railroad Company was taken up on motion of Mr. Whitney.

Mr. Pennington offered an amendment, which was accepted ;  
And the bill was read a third time and passed.

On motion of Mr. Jones, the bill to regulate the execution and approval of official bonds, and for other purposes,

Was taken up, read a second and third time forthwith, and passed.

Mr. Farden introduced a bill to authorize the issuance of certificates of election to certain officers ;

Which was read twice, and after being amended so as to include "County Commissioners,"

Was read a third time and passed.

A message was received from the House as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
July 5th, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having adopted joint resolution to meet the Senate in the Hall of the House of Representatives to-morrow at 11 o'clock, to elect a State Printer.

W. B. CLOUD,  
Clerk of the House.

Mr. Whitney introduced a bill in relation to the charter of the New Orleans, Mobile and Chattanooga Railroad Company, and to repeal sections 21 and 22 thereof;

Which was read the third time forthwith and passed.

Mr. Pennington introduced a bill to continue in force certain laws.

Mr. Foster offered an amendment, which, with the bill, was referred to the Judiciary Committee.

Mr. President laid before the Senate the following General Order, No. 101, issued by General Meade, which was read by the Secretary :

HEADQUARTERS, THIRD MILITARY DISTRICT,  
(Department of Georgia, Florida and Alabama,) }  
Atlanta, Ga., July 14, 1868. }

General Orders, No. 101.]

WHEREAS, Official information has been received at these Headquarters from the Governor elect of the State of Alabama, that the Legislature of said State, elected under the provisions of General Orders No. 101, series of 1867, from these Headquarters, has assembled and complied with the requisitions of the act of Congress, which became a law June 25, 1868, entitled an act to admit the States of North Carolina, Louisiana, Georgia, Alabama and Florida, to representation in Congress; and whereas, said act states that on compliance with the conditions therein set forth by any State, the officers of said State, duly elected and qualified under the constitution thereof, shall be inaugurated without delay; *it is therefore ordered,*

I.—That all civil officers, holding office in the State, whether by military appointment or by failure to have successors qualified, shall promptly yield their offices and turn over to their properly elected and qualified successors, all public property, archives, books, records, &c., belonging to the same.

II.—Whenever the military commander of the Sub-District of Alabama is officially notified of the inauguration of the State government elect, military authority, under the act of congress, known as the Reconstruction Laws, will be at an end in said State; and it is made the duty of the sub-District commander to transfer everything appertaining to the government of said State to the proper civil officers, and to abstain in future, upon any pretext whatever, from any interference with or control over the civil authorities of the State, or the persons and property of the citizens thereof.

III.—On the inauguration of the civil government, all persons held in custody or by bonds for offences against the civil law, will be turned over to the proper civil authority. In the meantime writs of *habeas corpus* from United States Courts will be respectfully obeyed and the decisions conformed to.

Writs from State Courts will have respectful returns made, stating prisoners are held by authority of the United States, and can only be released by writs issued by United States courts.

By order of Major General MEADE :

R. C. DRUM,

Assistant Adjutant General.

Mr. Jones introduced a bill for the relief of the poor houses of the several counties of the State of Alabama ;

Which was read twice, and referred to the Committee on Poor Laws and Charitable Institutions.

Mr. Coon introduced a bill to regulate the publication of legal notices ;

Which was read twice, forthwith, and referred to the Committee on Printing.

Mr. Bromberg introduced a bill to prescribe the number of commissioners of revenue in Mobile county ;

Which was read twice and referred to the Committee on Municipal and County Organizations.

The bill to continue in office certain municipal and State and county officers, &c., was taken up.

Mr. Sibley offered an amendment to come in after the word "officers" ;

Which amendment, with the bill, was referred to the Judiciary Committee.

Mr. Pennington introduced a Joint resolution in relation to the school fund ;

Which was read three times forthwith and passed.

Mr. Jones introduced a bill to regulate printing ;

Which was read twice forthwith, and referred to the Committee on Printing.

Mr. Foster introduced a bill to regulate the liens of judgments ;

Which was read twice and referred to the Judiciary Committee.

Mr. Foster offered the following resolution, which was adopted :

*Resolved*, That the Secretary have sixty copies of the Standing Committees printed for the use of the Senators.

Mr. Yordy offered the following resolution, which was laid on the table :

*Resolved*, That the regular hours of meeting of the Senate be at 9 o'clock for the morning session, and 4 o'clock for the evening session, until otherwise ordered.

Senate then adjourned till 10 o'clock to-morrow morning.

## FIFTH DAY.

FRIDAY, July 17, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. J. A. McCutchen, chaplain.

Journal of yesterday was read and approved.

## BILLS INTRODUCED.

By Mr. Barr, to transfer all the books, records, and papers of the City Court of Montgomery, to the Circuit Court of said county.

To authorize the issuance of certificates of election to certain officers therein named.

By Mr. Bromberg, to repeal an act to authorize writs of garnishment against incorporated cities, &c.

By Mr. Barr, to amend an ordinance of the Constitutional Convention of the people of Alabama assembled at Montgomery, on the 5th day of November, 1867, entitled an ordinance to stay the collection of debts;

Which bills were severally read twice and referred to the Judiciary Committee.

By Mr. Foster, for the relief of William H. Felts, tax collector for Choctaw county, and the sureties on his official bond ;

Which was read twice and referred to the Committee on Grievances and Disabilities.

By Mr. Whitney, for the relief of Lawson C. Coulson, late probate judge of Jackson county, and his sureties ;

Which was read twice and referred to the Committee on Taxation.

By Mr. Pennington, for the relief of Russell L. Griffin, of Lee county.

By Mr. Pennington, to authorize the removal of estates from one county to another in certain cases.

By Mr. Mahan, to alter the mode of assessing and collecting the taxes for the county of Bibb, and for other purposes ;

Which bills were read and ordered to a third reading.

By Mr. Bromberg, for the qualification of Addison Gage as one of the executors of the estate of Charles P. Gage, deceased ;

Which was read three times forthwith and passed.

On motion of Mr. Foster, the vote on the passage of the

bill to amend the charter of the Wills Valley Railroad Company was reconsidered.

Mr. Foster moved to amend by engrossed rider ;

Which was read three times and adopted.

And the bill thus amended, was again read a third time and passed.

Mr. Barr introduced a joint resolution in relation to the election of United States Senators ;

Which was adopted, and ordered forthwith to the House.

Mr. Pennington rose to a question of privilege, and improved the occasion to correct a misrepresentation of his remarks yesterday on the subject of appointing a chaplain, which appeared in one of the city papers this morning.

Mr. McAfee, from the Judiciary Committee, reported favorably to the bill to continue certain persons in office and to empower the Governor to fill vacancies and make appointments ;

Which bill was read a third time and passed.

Mr. Jones introduced a bill to repeal the third section of an ordinance of the Convention of Alabama, under the caption of "Debts contracted during the rebellion ;"

Which bill was read, and on motion of Mr. Wyman, was laid on the table.

Mr. Farden introduced a joint resolution to Congress in relation to the Bankrupt Law ;

Which was read and ordered to a second reading.

Mr. Wyman offered the following resolution ;

Which was adopted :

*Resolved*, That the President appoint a committee of three, to act jointly with a committee of the House of Representatives, for the purpose of visiting the Penitentiary of the State and noting the condition of the same.

Mr. Buckley offered a resolution instructing the Committee on Taxation to report a bill to extend the time for the collection of taxes of 1867 till the 1st of November, 1868 ;

Which resolution was adopted.

Bill to remove the political disabilities imposed by the second clause of section three, article seven of the Constitution of Alabama, was read a second time, when—

On motion of Mr. Sibley, it was laid on the table.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
July 17, 1868. }

*Mr. President :*

The House has adopted Joint Resolutions of thanks to



Brevet Brigadier General O. L. Shepherd, U. S. A., commanding this Military sub-district, State of Alabama.

W. B. CLOUD,  
Clerk of House.

Joint resolution of the House for the appointment of a joint committee to assign rooms in the capitol to certain State officers, was concurred in, and Messrs. Hinds, Sanford and Bromberg were appointed the Senate committee.

House resolution for bringing on the election of a State Printer to-day, was taken up ;

When, on motion of Mr. Foster, the whole subject was postponed till Thursday next.

Mr. Pennington offered a resolution, providing for the appointment of a Joint Committee of the two Houses on Printing ;

Which was adopted and ordered forthwith to the House.

Mr. Worthy offered the following resolution, which was adopted :

*Resolved*, That the Chairman of the Judiciary Committee be empowered to employ a clerk, whose duty it shall be to attend all the meetings of said Committee, and discharge all the clerical duties pertaining to the same.

Mr. Jones offered the following resolution ;

Which was lost :

*Resolved*, That the regular hour for the meeting of the Senate be half-past 9 o'clock, A. M., and adjourn at 2 o'clock, P. M. each day, until further ordered.

Mr. Wise offered the following resolution,

Which was adopted :

*Resolved*, That the Comptroller of Public Accounts and State Treasurer, be requested to lay before the Senate their reports upon the Finances of the State, for the fiscal year ending 30th September, 1866, to 13th July, 1868.

Mr. Farden offered a resolution empowering the Secretary to assign a room in the Capitol Building to some person for a Lunch Room ;

Which was declared to be out of order.

Messrs. Pennington, Farden and Jones, were appointed the Senate Committee on Printing, under the resolution to raise a Joint Committee on Printing.

The Senate then adjourned till 10 o'clock to-morrow morning.

## SIXTH DAY.

SENATE CHAMBER, }  
 Saturday, July 18, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of yesterday was read—amended on motion of Mr. Pennington, and approved.

Mr. President took occasion to remark upon a statement in one of the city papers of this morning, as to his ruling on yesterday, about the Reporters for the Press, to whom the Senate had accorded the privilege of seats within the bar of the Senate; and also, had the Secretary to read Rule 19 of the Rules of the House of Representatives at Washington City.

On motion of Mr. Pennington, the Report of the Committee on Rules and Regulations,

Was considered, *seriatim*, amended and adopted.

Message was received from the House as follows:

HOUSE OF REPRESENTATIVES, }  
 July 18, 1868. }

*Mr. President:*

I am directed by the House to inform the Senate of its having concurred in Senate Joint Resolution in relation to the school fund.

W. B. CLOUD,  
 Clerk of House.

## CALL OF THE DISTRICTS.

On the call of the districts, the following bills and joint resolutions were introduced:

By Mr. Sevier, to exempt certain persons from working on public roads;

Which was read twice, and referred to the Committee on Internal Improvements.

By Mr. Sibley, to declare legal and valid an act to organize the city court of Huntsville;

By Mr. Farden, in relation to costs in the courts of this State;

By Mr. Yordy, conferring jurisdiction of contracts for labor upon judges of probate ;

By Mr. Foster, to fix the time of holding the circuit court in the 7th judicial circuit ;

By Mr. Barr, to empower the courts of this State the more effectually to punish contempts and disturbances during the sessions of such courts ;

Which bills were severally read twice, and referred to the judiciary committee.

By Mr. Whitney, to establish the county site of the county of Jackson ;

Which was read twice, and referred to the Committee on Municipal and County Organization.

By Mr. Bromberg, to reorganize and re-establish the municipal government of the city of Mobile ;

Which was read three times forthwith, and passed.

By Mr. Farden, joint resolution to establish a lunch and refreshment room in the capitol building ;

Which was read, and ordered to a second reading.

A message was received from the House of Representatives, as follows :

HOUSE OF REPRESENTATIVES, }  
July 18, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

A bill to be entitled an act to amend the charter of the Wills Valley Railroad Company, and for other purposes ;

And of its having passed the following bill :

A bill making appropriations for the pay of the members and officers of the present General Assembly ;

And of its having passed the Senate bill—

To reorganize and re-establish the municipal government of the city of Mobile.

WM. B. CLOUD, Clerk.

#### REPORTS OF STANDING COMMITTEES.

Mr. Stow, from the Committee on Finance, reported back the communication of John Whiting, Commissioner and Trustee, with the request that it be spread upon the journal of the Senate ;

Which report was adopted.

Mr. McAfee, from the Judiciary Committee, reported adversely to the bill to authorize the issuance of certificates of election to certain officers therein named ;

Which report was concurred in.

Mr. Jones, from the Committee on County and Municipal Organization, reported favorably, with amendment, to the bill to change the county site of Russell county ;

Which amendment was adopted, and the bill read a third time and passed.

Also, reported favorably to bills to prescribe the number of commissioners of revenue of Mobile county ;

To incorporate the Cleburne Fire Company, No. 1, of Eufaula ;

Which bills were severally read a third time, and passed.

Mr. Hinds, from the joint select committee, submitted the following report :

The joint committee, to whom was referred the duty of assigning offices to the officers of the State, beg leave to report :

That we have assigned to the Governor, Secretary of State, Auditor, Treasurer and Superintendent of Public Instruction, the rooms now occupied by them.

To the Attorney General, the first and second rooms to the right hand on the third floor of the east wing of the capitol.

To the Superintendent of Industrial Resources, the first and second rooms at left hand, on the third floor, in the east wing of the capitol.

To the Supreme Court, the rooms now occupied.

To the State and Supreme Court Libraries, the rooms now occupied.

J. J. HINDS, Chm'n. of Sen. Com.

FRD'K G. BROMBERG,

HENRY C. SANFORD.

#### ORDERS OF THE DAY.

House bill making appropriation for the pay of the members and officers of the General Assembly,

Was read twice and referred to the Committee on Finance.

House joint resolution instructing the state treasurer,

Was read three times forthwith, and passed.

Bill for the relief of Russell L. Griffin, of Lee county,

Was read a second time, and referred to the Committee on Grievances and Disabilities.

Bill to remove estates from one county to another in certain cases,

Was read a second time, and referred to the Judiciary Committee.

Bill to alter the mode of assessing and collecting taxes in Bibb county,

Was read a second time and referred to the Committee on Finance.

Joint resolution in relation to the bankrupt law,

Was laid on the table.

Mr. Yordy offered a resolution, providing for the appointment of a joint committee of the two Houses, to enquire what action is necessary to recover certain amounts of money paid out of the State treasury since September 30th, 1865, for services rendered during the rebellion,

Which was adopted.

Mr. Barr offered the following resolution,

Which was adopted :

*Resolved*, That the president be instructed to appoint a standing committee on industrial resources.

Mr. Sibley offered the following resolution,

Which was adopted :

*Resolved*, That the rules and regulations adopted by the Senate for conducting business, be printed in pamphlet form, under the direction of the Committee on Rules and Regulations.

Senate then adjourned till 10 o'clock to-morrow morning.

## SEVENTH DAY.

MONDAY, July 20, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin.

Journal of Saturday was read and approved.

Mr. President announced the following committees :

*On Contingent Fund of Senate*—Messrs. Worthy, Hays and Oliver.

*On Engrossed Bills*—Messrs. King, Yordy and Wyman.

*On Industrial Resources*—Messrs. Barr, Hinds and Bromberg.

On the call of the districts, the following bills were introduced :

By Mr. Oliver, for the relief of the estate of David Hanby, deceased, of Jefferson county ;

By Mr. Wise, to authorize Mary A. Norred to sell certain lands ;

By Mr. Coon, authorizing the sale of spirituous liquors in the town of Haw Ridge, Dale county, State of Alabama ;

By Mr. Bromberg, to define the duties of county solicitors ;

Which bills were severally read twice, and referred to the Judiciary Committee.

By Mr. Coon, to legalize an informal election held in the county of Dale ;

Which was read three times forthwith, and passed.

By Mr. Whitney, to authorize sheriffs elect to give the casting vote in certain cases.

By Mr. Pennington, for the relief of Henry Bird ;

Which bills were severally read three times forthwith, and passed.

By Mr. Pennington, to require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties.

By Mr. Pennington, to confirm the election of judge and clerk of the city court of Selma, in Dallas county.

By Mr. Yordy, to repeal an act to incorporate the town of Livingston, and also to repeal an act to amend an act to incorporate the town of Livingston, and to revive the old charter of the said town of Livingston ;

By Mr. Jones, to prevent the carrying of hostile, deadly weapons known as rifle walking canes, or gunshot canes ;

Which bills were severally read and ordered to a second reading.

A message was received from the House, as follows :

HALL OF HOUSE OF REPRESENTATIVES, }  
July 20, 1868. }

*Mr. President :*

The House requests that the bill appropriating funds for the pay of the present Legislature be returned to that body, as it contains a clerical error.

WM. B. CLOUD, Clerk House Reps.

Mr. Bromberg introduced joint resolution to provide a flag staff and a flag upon the capitol building ;

Which was read three times forthwith, and passed.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the Judiciary Committee, reported adversely to bills—

To repeal an act authorizing writs of garnishment against incorporated cities, &c. ;

To regulate liens of judgments ;

To amend an ordinance of the late constitutional convention "to stay the collection of debts";

Which reports were severally concurred in.

Also, reported favorably, with amendment, to the bill—

To continue in office certain municipal and State and county officers, &c.;

Which amendment was adopted, and the bill read a third time and passed.

Mr. Yordy, from the Committee on Taxation, under a resolution of the Senate, reported a bill extending the time for the collection of taxes for 1867 till November 1st, 1868;

Which was read, and ordered to a second reading, and, on motion of Mr. Sibley, ordered to be printed.

Mr. Farden, from the Committee on Internal Improvements, reported adversely to the bill to exempt certain persons from working on public roads;

Which report was concurred in.

Mr. Pennington offered a joint resolution providing for a joint committee to whom shall be referred so much of the Governor's message as relates to the removal of political disabilities.

Mr. Coon moved to lay the resolution on the table, which motion was lost; yeas 8, nays 21.

Those who voted in the affirmative are, Messrs. Coon, Johnston, Lentz, Martin, Oliver, Richards, Royal and Sibley—8.

Those who voted in the negative are, Messrs. Bromberg, Farden, Foster, Hays, Hinds, Jones, King, Lambert, Mabry, Mahan, McAfee, Morton, Pennington, Sanford, Sevier, Stow, Whitney, Wise, Worthy, Wyman and Yordy—21.

Mr. Foster offered the following substitute:

*Resolved*, That that portion of the Governor's message referring to the removal of disabilities be referred to the Committee on Grievances and Disabilities;

Which substitute, on motion of Mr. King, was laid on the table; yeas 18, nays 11.

Those who voted in the affirmative are, Messrs. Farden, Hays, Johnston, Jones, King, Lambert, Lentz, Mahan, McAfee, Martin, Oliver, Pennington, Sanford, Sevier, Stow, Wise, Worthy and Wyman—18.

Those who voted in the negative, Messrs. Bromberg, Coon, Foster, Hinds, Mabry, Martin, Richards, Royal, Sibley, Whitney and Yordy—11.

Mr. Pennington's resolution was then adopted, and ordered forthwith to the House.

A message was received from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate, that he has approved and signed bills, to be entitled as follows :

An act to amend the charter of the Wills Valley Railroad Company, and for other purposes ;

An act to reorganize and establish the municipal government of the city of Mobile ;

And a "joint resolution in relation to the school fund."

Very respectfully, your ob't serv't,

D. L. DALTON, Secretary.

Mr. Sibley, from the Committee on Privileges and Elections, reported favorably to the bill, to legalize an informal election held in the county of Dale ;

Which bill was read a third time and passed, and ordered forthwith to the House.

#### ORDERS OF THE DAY.

Joint resolution, relating to a lunch and refreshment room at the Capitol,

Was laid on the table.

Mr. Bromberg introduced a bill to amend an ordinance of the late Constitutional Convention, entitled "An Ordinance to Stay Collection of Debts" so as to require costs to be paid on process issuing from the courts of Mobile county, before the same is returned;

Which was read twice and referred to the Judiciary Committee.

Mr. Farden offered the following resolution,

Which was adopted :

*Resolved*, That the President of the Senate and Speaker of the House of Representatives appoint a joint committee consisting of three members from each house to examine the offices of Comptroller and Treasurer of this State.

Mr. Foster offered the following resolution,

Which was adopted :

*Resolved*, That the Chairman of the Committee on Militia be allowed to employ a clerk.

The Senate then adjourned till 10 o'clock to-morrow morning.



## EIGHTH DAY.

SENATE CHAMBER, }  
 Tuesday, July 21, 1868. }

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Mr. King, from the committee on engrossed bills, reported the following as correctly engrossed :

A bill to be entitled an act to legalize an informal election, held in the county of Dale, State of Alabama ;

A bill to be entitled an act to prescribe the number of Commissioners of Revenue in Mobile county ;

A bill to be entitled an act to incorporate the Cleburne Fire Company No. 1, of Eufaula ;

Joint resolution to provide for a flag staff and flag upon the Capitol ;

A bill to be entitled an act, to continue in office certain municipal and State and county officers.

Mr. President laid before the Senate the following order from General Shepherd ;

Which was read by the Secretary :

HEADQUARTERS, SUB-DISTRICT ALABAMA, }  
 Montgomery, Ala. July 17, 1868. }

General Orders, No. 26.

Official notification having been received from his Excellency Wm. H. Smith, Governor of Alabama, of the inauguration of the State Government elect, the provisions of General Orders No. 101, current series, from the Commanding General of the Third Military District, will be strictly observed and obeyed. Post Commanders will duly instruct the officers and soldiers of their respective commands, in the duties prescribed in said orders, and require a faithful performance of them.

The changed order of government in this Sub-District, will require the exercise of the most careful discretion by officers and soldiers in the performance of duties, so as to avoid every manner of interference with the civil authorities of the State, or the persons and property thereof.

Post Commanders will report to these Headquarters any

non-compliance with article I, of the above mentioned order.

By order of Col. & Bv't Brig. Gen. O. L. Shepherd :

W. T. HARTZ,

Bv't Maj. U. S. A., A. A. A. G.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Sevier, to strike out certain words and insert certain other words, in section 1325 of the Code ;

Which was read three times forthwith, and passed.

By Mr. Hinds, joint resolution for supplying missing volumes of the Supreme Court Reports to certain probate judges ;

By Mr. Oliver, to provide for the Registration of all the Electors of this State ;

By Mr. Wise, for the relief of Hugh Montgomery, of Cleburne county ;

By Mr. Stow, to alter and amend an act to provide a system of Internal Improvements in the State of Alabama ;

By Mr. Hays, to authorize the Governor to fill vacancies in the Supreme and Chancery Courts ;

Which bills were severally read and ordered to a second reading.

By Mr. Bromberg, to ratify and confirm the election of Commissioners of Revenue in Mobile county ;

Which was read twice and referred to the Committee on Municipal and County organizations ;

By Mr. Worthy, to amend section 3849 of the Revised Code of Alabama ;

Which was read twice and referred to the Judiciary Committee :

Mr. Worthy gave notice, that he would move to rescind the vote by which the Senate concurred in the adverse report on the bill to repeal an act, authorizing writs of garnishment against incorporated cities, &c.

#### REPORTS OF STANDING COMMITTEES.

Mr. Whitney, from the Committee on enrolled bills, reported as correctly enrolled, bills of the following titles :

A bill to be entitled an act to confer upon certain officers authority to administer oaths of office ;

Joint resolution relative to School Fund ;

A bill to be entitled an act to amend the charter of the Wills Valley Railroad Company ;

A bill to be entitled an act to re-organize and establish the Municipal Government of the city of Mobile.

Mr. McAfee, from the Judiciary Committee, reported adversely to bills ;

To amend the Ordinance to stay the collection of debts as to process from the Courts of Mobile, &c.;

Authorizing the sale of spirituous liquors in the town of Haw Ridge, Dale county ;

To transfer all records, books, papers, &c., of the City Court of Montgomery, to the Circuit Court of said county ;

Conferring jurisdiction of contracts for labor upon probate judges ;

To empower the courts of this State the more effectually to punish contempts, &c., during the sessions of said courts ;

Which reports were severally concurred in.

Also, reported adversely to the bill in relation to costs in the courts of the State.

Mr. Farden moved to recommit the bill ;

Which motion was lost, and the report was concurred in.

Also, reported favorably to the bill to continue in force certain laws ;

Which bill, and motion of Mr. Barr, was postponed till Friday next ;

Also, reported favorably to the bill to authorize Mary A. Nerred to sell certain lands ;

Which was ordered to be engrossed for a third reading.

Also, reported favorably to a bill to fix the time for holding the circuit court in the 7th judicial circuit ;

Which bill was read a third time and passed, and ordered forthwith to the House.

A message was received from the House, as follows :

*Mr. President :*

I am directed to inform the Senate that the House has originated and passed the following bills :

That it has also concurred in the following Senate bills as amended :

Very respectfully,

W. B. CLOUD, Clerk of the House.

Mr. Yordy, from the Committee on Taxation, reported fa-

vorably, with amendment, to the bill for the relief of Lawson C. Coulson, late probate judge of Jackson county, and his sureties ;

Which amendment was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Jones, from the Committee on Municipal and County Organizations, reported favorably to the bill to establish the county site of Jackson county ;

Which bill was read a third time and passed.

#### HOUSE MESSAGES.

House bill, for the relief of E. S. Clark, of Mobile,  
Was read three times forthwith and passed.

House joint resolution to provide for the registration of the voters of the several counties,

Was ordered back to the House, as it contained a clerical error.

Senate concurred in the amendments of the House to Senate bills—

To regulate the execution and approval of the official bonds of the State and county officers, &c. ;

To authorize the issuance of certificates of election to certain officers.

Senate then took a recess till 12 o'clock.

At 12 o'clock the Senate was called to order, when it went into the election of United States Senators, as per act of Congress and joint resolution of the two Houses of the General Assembly.

The election of Senator for the long term expiring 4th of March, 1873, was entered upon.

Mr. Stow nominated General Willard Warner, of Montgomery.

Mr. Hinds nominated General George E. Spencer, of Morgan.

Mr. Lambert nominated Colonel D. C. Humphreys, of Madison.

Mr. Mabry nominated General McCaleb Wiley, of Pike.

#### FIRST BALLOT.

Those who voted for Mr. Warner are, Messrs. Barr, Buckley, Farden, Jones, Martin and Stow—6.

Those who voted for Mr. Spencer are, Messrs. Coon, Fos-

ter, Hays, Hinds, Johnston, Lentz, Martin, Oliver, Sevier, Whitney, Wyman and Yordy—13.

Those who voted for Mr. Humphreys are, Messrs. Bromberg, Lambert, Mahan, McAfee, Pennington, Richards, Sanford, Sibley, Wise and Worthy—10.

Those who voted for Mr. Wiley are, Messrs. King and Mabry—2.

Mr. Mabry then withdrew the name of Mr. Wiley.

#### SECOND BALLOT.

Those who voted for Mr. Warner are, Messrs. Barr, Buckley, Farden and Stow—4.

Those who voted for Mr. Spencer are, Messrs. Coon, Foster, Hays, Hinds, Johnston, Jones, Lentz, Martin, Morton, Oliver, Royal, Sevier, Whitney, Wyman and Yordy—15.

Those who voted for Mr. Humphreys are, Messrs. Bromberg, King, Lambert, Mabry, Mahan, McAfee, Pennington, Richards, Sanford, Sibley, Wise and Worthy—12.

#### THIRD BALLOT.

Those who voted for Mr. Spencer are, Messrs. Barr, Buckley, Coon, Farden, Foster, Hays, Hinds, Johnston, Jones, Lentz, Martin, Oliver, Royal, Sevier, Whitney, Worthy, Wyman and Yordy—19.

Those who voted for Mr. Humphreys are, Messrs. Bromberg, King, Lambert, Mabry, Mahan, McAfee, Pennington, Richards, Sanford, Sibley, Stow and Wise—12.

Mr. Spencer having received a majority of all the votes cast, was declared by Mr. President, elected by the Senate, United States Senator for the long term.

Senate then adjourned till 10 o'clock to-morrow morning.

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#### NINTH DAY.

SENATE CHAMBER, }  
Wednesday, July 22, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. John Silsby, of Dallas.

Journal of yesterday was read and approved.

Mr. President presented a communication from the comptroller and State treasurer,

Which was referred to the Committee on Finance.

#### CALL OF THE COUNTIES.

On the call of the counties, the following bills were introduced :

By Mr. Sevier, to compel the late officers of Colbert county to deliver over to the duly elected and qualified officers of Franklin county all moneys, books, papers, and property now in the hands of said officers ;

By Mr. Foster, to create the county of Chillahatchie ;

By Mr. Bromberg, to repeal an act entitled an act authorizing the appointment of a general administrator and general guardian for Mobile county, and for other purposes ;

Which bills were severally read twice, and referred to the Committee on Municipal and County Organization.

By Mr. Sibley, for the relief of Lafayette Reid ;

By Mr. Sibley, to relieve the people of the State of unauthorized adjudication in civil cases ;

By Mr. Whitney, to provide township maps and copies of field notes for county surveyors ;

By Mr. Bromberg, to authorize the commissioners of revenue of Mobile county to issue bonds, and to repeal an act therein named ;

Which bills were severally read, and ordered to a second reading.

By Mr. Sibley, for the preservation of the public peace ;

Which bill was read twice and amended on motion of Mr. Bromberg, and referred to the judiciary committee.

By Mr. Lambert, to legalize certain officers therein named.

By Mr. Stow, to establish a ferry on the Tallapoosa river ;

Which bills were severally read twice and referred to the committee on privileges and elections.

By Mr. Buckley, to extend the time for collecting the taxes of 1867 ;

Which was read twice, and referred to the committee on taxation.

By Mr. Jones, to exempt the sheriff of Marengo county from the provisions of act No. 186, and sections 1, 2, 3, and 4, of acts of 1866--67, page 173.

Which bill was read three times forthwith, and passed, and ordered forthwith to the House.

By Mr. Barr, (with petition), for the relief of Mrs. S. A. Lambert, of Macon county;

Which was read twice, and referred to Committee on Grievances and Disabilities.

By Mr. Hinds, to enable certain administrators to sell real and personal estate at private sale :

Which was read and ordered to a second reading.

A message was received from the House, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
July 21, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has originated and passed a bill to be entitled an act to change the name of Covington county.

And has adopted, also, Senate joint resolution to provide for a flag-staff and flag upon the capitol.

And has originated and passed bills of the following titles :

A bill to be entitled an act to fix the day for the annual meeting of the General Assembly of Alabama ;

A bill to be entitled an act to provide for the qualification of the members of the board of education.

W. B. CLOUD,  
Clerk of the House.

On motion of Mr. Worthy, the Senate reconsidered the vote on the passage of the bill to regulate the execution and approval of official bonds, &c., and the bill was recommitted to the judiciary committee.

On motion of Mr. Bromberg, the House bill—

To fix the day for the annual meeting of the General Assembly of Alabama, was taken from the House messages, and read twice.

Mr. Oliver moved to postpone the consideration of the bill till to-morrow.

Mr. Farden moved to refer the bill to the Committee on Education, which motion was lost,

And the bill was read a third time and lost.

House bill to provide for the qualification of members of the board of education,

Was read twice, and referred to the Committee on Education.

On motion, the Senate took a recess till two minutes after 12 o'clock.

At the expiration of the recess, the Senate was called to order.

A message was received from the House as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
July 22, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that the House is waiting to receive them in joint convention for the purpose of electing a United States Senator.

WM. B. CLOUD, Clerk.

The Senate proceeded to the Hall of the House, when the two Houses, in joint convention, went into the election of a United States Senator for the short term expiring 4th March, 1871.

Mr. Williams, of the House, nominated Adam C. Felder, Esq., of Montgomery.

Mr. ——— nominated Col. R. M. Reynolds, of Wilcox.

Mr. Emmons nominated Gen. D. E. Coon, of Dallas.

Mr. Jones, of the Senate, nominated Gen. Willard Warner, of Montgomery.

Mr. McCraw nominated Col. John L. Pennington, of Lee.

One ballot was had, resulting as follows :

Warner 43, Reynolds 27, Pennington 22, Coon 11, Felder 9.

Those who voted for Mr. Warner, are, of the Senate—Messrs. Barr, Buckley, Farden, Hays, Jones, Lentz, Martin, Morton, Stow and Whitney ; of the House, Messrs. Armstrong, Baker, Blandon, Bogle, Brewington, Bronson, Chisholm, Cox, Daniel, Dereen, Gregory, Harrington, Harris, Hart, Hill, Holman, Houston, Jennings, Lore, McCally, Ninninger, Ronayne, Rose, Speed, Simmons, Springfield, Smith, Stewart, Stroback, Thompson, Thweatt, Vansandt, and White—43.

Those who voted for Mr. Reynolds are, of the Senate—Messrs. Coon, Foster, Hinds, Lambert, Oliver, Richards, Sanford, Sevier, Sibley and Wyman ; of the House, Messrs. Atto-way, Bell, Carden, Childress, Crossland, Fister, Haley, Richards, Inge, Jones of Tuscaloosa, Lewis, Malone, Richardson, Sanford, Stubblefield, Turner, and Wilson—27.

Those who voted for Mr. Pennington, are, of the Senate—Messrs. Johnson, King, Mabry, Mahan, McAfee, Wise, and



Worthy ; of the House, Messrs. Corprew, Doster, Hart, Kendrick, Masterson, Neville, Newsom, Reeves, Taylor of Chambers, Tompkins, Tucker, Tyner, Walker, Wood, and Mr Speaker McCraw—22.

Those who voted for Mr. Coon, are, of the Senate—Messrs. Royal ; of the House, Messrs. Austin, Diggs, Drawn, Emmons, Hardy, Jones of Madson, Taylor of Wilson, Warren, Weaver and Yates—11.

Those who voted for Mr. Felder, are, of the Senate—Messrs. Bromberg, Pennington and Yordy ; of the House, Messrs. Carroway, Green, Page, Quinn, Shaw, and Williams—9.

No one receiving a majority of all the votes cast, there was no election on the first ballot.

On motion, the joint convention adjourned till 12 o'clock to-morrow morning.

The Senate then returned to its chamber, and adjourned till 10 o'clock to-morrow morning.

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## TENTH DAY.

THURSDAY, July 23, 1868.

Regular Annual Session.

Senate met pursuant to adjournment.

Prayer by the Rev. J. A. McCutchen, chaplain.

Journal of yesterday was read and approved.

Mr. King, from the Committee on Engrossed Bills, reported the following as correctly engrossed :

A bill to be entitled an act to authorize Mary A. Norred to sell certain lands ;

A bill to be entitled an act for the relief of Lawson C. Coulson and his sureties ;

A bill to be entitled an act to exempt the sheriff of Marengo county from the provisions of Act No. 186, sections 1, 2, 3, 4, Acts of Alabama, 1866-7, page 173 ;

A bill to be entitled an act to fix the time of holding circuit court in the 7th judicial circuit, State of Alabama ;

A bill to be entitled an act to repeal, by striking out certain other words therein named, as to persons liable to work on roads ;

A bill to be entitled an act to establish the county seat for the county of Jackson.

On motion of Mr. Sanford, the call of the districts was suspended.

Mr. Richards, from the Committee on Education, reported

favorably to the House bill to provide for the qualification of members of the board of education ;

Which bill was read a third time and passed.

A message was received from the House of Representatives, as follows :

HOUSE OF REPRESENTATIVES, }  
July 23, 1868. }

*Mr. President :*

I am directed to inform the Senate that the House has passed a resolution to change House Rule No. 24.

Also, bill to be entitled an act to provide for the payment of the members of the General Assembly of this State.

WM. B. CLOUD, Clerk.

On motion of Mr. Lambert, the House bill to fix the payment of the members and officers of the General Assembly, was taken from the House messages ;

Mr. Barr moved to refer the bill to the Committee on Fees and Salaries, and to report within one hour ;

Mr. Farden moved to refer to the same committee, to report to-morrow morning ;

Mr. McAfee, moved to amend, so that the committee be instructed to report the bill, making allowances of per diem, mileage, &c., not to exceed the same allowances allowed to members and officers of the General Assembly in 1860 ;

Mr. Sibley moved to amend the amendment, so as to consider the changed condition of affairs, with reference to cost of living and transportation ;

Which amendments, on motion of Mr. Farden, was laid on the table ;

And Mr. Farden's motion was carried.

On motion of Mr. Pennington, the Senate reconsidered the vote of yesterday, by which the House bill to fix the time of the meeting of the General Assembly, was lost on the third reading, and said

Bill was read a third time and passed, and ordered forthwith to the House.

#### REPORTS OF STANDING COMMITTEES.

Mr. Oliver, from the Committee on Grievances and Disabilities, reported favorably to the bill for the relief of William

H. Feltz, late tax collector for Choctaw county, and the sureties on his official bond ;

Which bill was read a third time and passed.

Message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
July 23, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed Senate bill to change county seat of Russell county.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

Mr. Bromberg introduced joint resolution postponing the election of United States Senators until noon of the second Monday in November next ;

Which was read, and on motion of Mr. Whitney, laid on the table.

A message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
July 23, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate's joint resolution to raise Committee on Disabilities.

Committee on part of House, Messrs. MALONE,  
VANZANDT,  
WALKER, of Hale.

Very respectfully,

W. B. CLOUD, Clerk of House.

Senate then took a recess till 12 o'clock.

At 12 o'clock the Senate was called to order by Mr. President.

A message was received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
July 16, 1868. }

*Mr. Speaker :*

I am directed by the House to inform the Senate of its having originated and passed the following bill :

A bill to be entitled an act for the relief of John W. Campbell, of Marengo county ;

Also, originated and passed,

A joint resolution, to provide for the registration of voters in the several counties of the State ; and that the House is now ready to meet the Senate in joint convention to elect a Senator from Alabama to the United States Congress, for the term ending March 3d, 1871.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

The Senate then proceeded to the Hall of the House and united with the House in Joint Committee, to elect a United States Senator for the short term, ending March 3d, 1871.

Mr. Wyman, of the Senate, nominated Gen. D. E. Coon, of Dallas ;

Mr. Dereen, nominated Gen. Willard Warner, of Montgomery ;

Mr. King, of the Senate, nominated Col. John L. Pennington, of Lee ;

Mr. Walker nominated Judge E. W. Peck, of Tuscaloosa ;

Mr. Bromberg, of the Senate, nominated Col. Thomas O. Glascock, of Montgomery.

One ballot was had, resulting as follows :

Warner, 67 ; Coon, 13 ; Pennington, 22 ; Peck, 8 ; and Glascock, 2.

Those who voted for Mr. Warner are, of the Senate, Messrs. Barr, Buckley, Coon, Farden, Foster, Hays, Jones, Lambert, Lentz, Martin, Morton, Pennington, Royal, Sibley, Stow, Whitney and Yordy ; of the House, Messrs. Armstrong, Austin, Attaway, Blandon, Bogle, Brewington, Bronson, Childress, Chisholm, Corprew, Cox, Daniel, Dereen, Emmons, Fister, Gregory, Haley, Hardy, Harrington, Harris, Hart, Hill, Holman, Huston, Inge, Jennings, Jones of Madison, Jones of Tuscaloosa, Kennemer, Lore, McCalley, Nininger, Page, Quinn, Ronayne, Rose, Speed, Simmons, Springfield, Smith of Morgan, Stewart, Strobach, Stubblefield, Taylor of Winston, Thompson, Thweatt, Turner, Vausandt, Weaver, White, Williams and Wilson—67.

Those who voted for Mr. Coon are, of the Senate, Messrs. Hinds, Richards and Wyman ; of the House, Messrs. Candee, Diggs, Lewis, Richards, Richardson and Warner—9.

Those who voted for Mr. Pennington are, of the Senate,

Messrs. Johnston, King, Mabry, Mahan, McAfee, Sanford, Sevier, Wise and Worthy ; of the House, Messrs. Bell, Doster, Hurt, Kendrick, Mastin, Malone, Neville, Reeves, Taylor of Chambers, Tompkins, Tucker, Tyner, and Mr. Speaker—22.

Those who voted for Mr. Peck are, of the Senate, Mr. Oliver ; of the House, Messrs. Carraway, Green, Masterson, Sanford, Walker and Wood—7.

Those who voted for Mr. Glascock are, of the Senate, Mr. Bromberg ; of the House, Mr. Shaw—2.

The Journal of the two Houses, connected with the election held on July 21st, were then read, and

Mr. Speaker declared Gen. G. E. Spencer elected for the long term, and Gen. Willard Warner for the short term.

On motion, the Joint Convention adjourned *sine die*.

The Senate then returned to its chamber,

And adjourned till 10 o'clock to-morrow morning.

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## SECOND DAY.

SENATE CHAMBER, }  
Friday, July 24, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

Journal of yesterday was read and approved.

### CALL OF THE DISTRICTS.

On the call of the Districts, the following bills were introduced :

By Mr. Sibley, to preserve order at elections ;

Which was read and ordered to a second reading ;

By Mr. Sibley, to re-establish the county of Colbert ;

Which was read twice and referred to the Committee on Municipal and County Organizations ;

By Mr. Whitney, to declare Belinda Caroline Brewington a lawful heir.

By Mr. Farden, to authorize and empower Daniel L. McNeill, a minor, of Elmore county, to settle with his guardian ;

By Mr. Jones, for the relief of B. F. Royal and Harriet Royal, alias Harriet Phillips, of Bullock county ;

Which bills were read twice and referred to the committee on grievances and disabilities.

By Mr. Sanford, for the relief of L. M. Stiff ;

By Mr. Pennington, to make the warrants issued by the comptroller on the treasury, in favor of the members of the Constitutional Convention, receivable in payment of dues to the State ;

By Mr. Jones, to amend section 3398 of the Revised Code ;

By Mr. Worthy, to authorize appeals to the Supreme Court and proceedings in chancery in certain cases ;

By Mr. Worthy, to authorize probate courts to render decrees in certain cases ;

By Mr. Jones, to amend the laws of the State of Alabama in relation to the distribution of assets of insolvent estates ;

By Mr. McAfee, to amend section 2536 of the Revised Code of Alabama ;

By Mr. Foster, for the protection of bona fide purchasers for valuable consideration ;

Which bills were severally read twice and referred to the Judiciary Committee.

By Mr. Pennington, to amend and confirm the charter of the Eureka Mining Company of Alabama ;

By Mr. Coon, memorial of R. M. Robertson, president of the New Orleans and Selma Railroad Company ;

Which bill and memorial were referred to the committee on internal improvements.

By Mr. Hays, joint memorial of the General Assembly of Alabama, to the United States Congress, to enfranchise all the citizens of Alabama ;

Which was read and referred to the committee on federal relations.

By Mr. Jones, to refund certain taxes to the citizens of Marengo county ;

Which was read twice and referred to the committee on taxation.

By Mr. Jones, to provide for the election of members of Congress ;

Which was read twice, and referred to the Committee on privileges and elections.

Mr. President announced Messrs. Fowler, Richards and Barr, as the committee on the part of the Senate, to examine the offices of comptroller and treasurer.

#### REPORTS OF STANDING COMMITTEES.

Mr. Whitney, from the committee on enrolled bills, reported the following as correctly enrolled :

An act to authorize the issuance of certificates to certain

officers ; a joint resolution to provide for a flag-staff and flag on the Capitol.

Mr. Barr, from the committee on fees and salaries, reported favorably, with amendments, to the House bill to provide for the pay of the members and officers of the General Assembly ; Which amendments were concurred in.

On motion of Mr. Pennington, the vote on concurring in the amendments was rescinded.

Mr. Oliver moved to recommit the bill to the same committee, which motion, on motion of Mr. Foster, was laid on the table.

Mr. Worthy called the previous question, which was sustained.

And the bill, as amended, was read the third time and passed, yeas, 11, nays, 20.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Hays, Hinds, Johnston, Jones, King, Lambert, Lentz, Mahan, Martin, Morton, Richards, Royal, Sanford, Sevier, Sibley, Whitney and Worthy—20.

Those who voted in the negative are, Messrs. Buckley, Coon, Farden, Mabry, McAfee, Oliver, Pennington, Stow, Wise, Wyman and Yordy—11.

Mr. McAfee, from the judiciary committee, reported favorably, with amendments, to the bill to amend section 3849 of the Code of Alabama ;

Which amendments were concurred in, and the bill read a third time forthwith and passed.

Mr. Yordy, from the committee on taxation, reported favorably to the bill to extend the time for the collection of taxes for 1867 ;

Which was read a third time and passed.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bill for the relief of Mrs. S. A. Lambert, of Monroe county ;

Which bill was read a third time and passed.

Also, reported favorably to the bill for the relief of Russell L. Griffin, of Lee county ;

Which bill was ordered to be engrossed for a third reading.

#### SPECIAL ORDERS.

The first special order, the House joint resolution for the election of a State printer, was, on motion of Mr. Pennington, postponed indefinitely.

The second special order, the Senate bill to continue in

force certain laws, was amended on motion of Mr. Pennington, and the bill read a third time and passed. It was ordered forthwith to the House.

Mr. Coon rose to a question of privilege, and requested the secretary to read certain personal articles in the Montgomery "Advertiser" of this morning; and moved to refer to the committee on grievances and disabilities, which motion, on motion of Mr. Hays, was laid on the table.

Leave of absence was granted to Mr. Pennington for two days.

#### ORDERS OF THE DAY.

Bill to alter and amend an act to establish a system of internal improvements in Alabama,

Was read a second time, and referred to the committee on internal improvements.

Bill to prevent the carrying of hostile, deadly weapons, known as rifle-walking canes, or gunshot canes,

Was read a second and third time and passed.

Bills to enable certain administrators to sell personal and real property at private sale ;

To relieve the people and the State of unauthorized adjudication in civil cases ;

Were severally read a second time and referred to the judiciary committee.

Bill for the relief of Lafayette Read,

Was read a second time and referred to the committee on accounts and claims.

Bill to authorize the commissioners of Revenue of Mobile county to issue bonds, &c. ;

Was read a second time and referred to the committee on municipal and county organizations.

Bill to provide for the registration of all the electors of this State,

Was read a second time and referred to the committee on registration.

The following bills were read a second time, and ordered to be engrossed for a third reading :

To require the court of county commissioners to publish semi-annual exhibits of receipts and expenditures of money for and on account of their respective counties ;

To confirm the election of judge and clerk of the city court of Selma ;

To repeal an act to incorporate the town of Livingston, &c. ;



To authorize the Governor to fill vacancies in the supreme and chancery courts ;

For the relief of Hugh Montgomery ;

To provide township maps and copies of field notes for county surveyors ;

Joint resolution for supplying certain probate judges with missing volumes of the supreme court reports ;

House bill making appropriation for the payment of the members and officers of the General Assembly ;

Were read three times forthwith and passed.

House joint resolution to provide for the registration of voters in the several counties,

Was read and referred to the committee on registration.

House bills, for the relief of John W. Campbell, of Marengo county,

To change the name of Covington county ;

For the relief of Peyton Baughn, probate judge of Winston county ;

Allowing compensation to commissioners of roads and revenue for Baldwin county ;

Resolution to change House rule No. 24,

Were read, and ordered to a second reading.

Mr. Stow, from the committee on finance, reported back the reports of the comptroller and State treasurer, recommending that they be filed ;

Which report was received and adopted.

On motion, the Senate reconsidered the vote concurring in the adverse report to the bill to repeal an act authorizing writs of garnishment against incorporated cities, towns, &c., and the bill was recommitted.

Mr. Morton offered a resolution of thanks to Hon. John Hardy, for the presentation of copies of his map of Alabama, to the members of the Senate ;

Which was adopted, unanimously.

Mr. President appointed Messrs. Yordy and McAfee as committee on the part of the Senate to ascertain what action is necessary to recover money paid out of the treasury since September 30th, 1865, for services rendered during the rebellion.

Senate then adjourned till 10 o'clock to-morrow morning.

## THIRD DAY.

SENATE CHAMBER, }  
 Saturday, July 25, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. John Silsby, of Selma.

Journal of yesterday was read and approved.

## CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Sibley, to enable certain county officers to enter upon the discharge of their duties ;

Which was read twice and referred to the Committee on Privileges and Elections.

By Mr. Morton, to attach a portion of Fayette to Marion county ;

By Mr. McAfee, to change the boundary line between Talladega and Clay counties ;

Which bills were read twice, and referred to the Committee on Municipal and County Organizations.

By Mr. Wise, (with petition), for the relief of Mary A. Lambert, of Clay county ;

Which was ordered to a second reading.

By Mr. Farden, to fix the time for holding the circuit courts in the 2d judicial circuit ;

By Mr. Stow, to consolidate and make joint stock of the Mobile and Great Northern Railroad Company and the Alabama and Florida Railroad Company of Alabama, and to change the name of said companies to the Mobile and Montgomery Railroad Company ;

By Mr. Bromberg, to repeal article 13, of section 437, of the Revised Code ;

By Mr. Barr, to authorize the hearing of applications for re-hearings in the supreme court, and for other purposes ;

Also, to amend section 4198 of the Revised Code ;

Which bills were severally read twice, and referred to the Judiciary Committee.

By Mr. Hays, in relation to the three per cent. fund ;

Which was read twice and referred to the Committee on Internal Improvements.

By Mr. Bromberg, to regulate the publication of legal and other notices ;

Which was read twice and referred to the Committee on Printing.

By Mr. Barr, in relation to the board of immigration ;

Which was read twice and referred to the Committee on Industrial Resources.

By Mr. Mahan, joint resolutions proposing amendments to the constitution of Alabama ;

Which were read and sixty copies ordered to be printed.

A message was received from the Governor by Mr. Dalton, Private Secretary, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that on the 24th inst., he approved and signed a bill to be entitled "An act to authorize the issuance of certificates of election to certain officers," and a

"Joint resolution to provide for a flag-staff and flag upon the capitol."

Very respectfully, your obd't serv't,

D. L. DALTON, Secretary.

Leave of absence was granted to Mr. Pennington till Monday.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, {  
July 25, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the passage of the following Senate bills :

To be entitled an act to exempt the sheriff of Marengo county, Alabama, from the provisions of Act No. 186, sections 1, 2, 3, 4, Acts of Alabama, 1866-7, page 173 ;

To be entitled an act to continue in force certain laws.

And has originated and passed the following bills and resolutions :

Bill entitled an act to make Susan May a free dealer ;

For the relief of Louisa T. Thompson ;

To declare Sophronia J. Riley a free dealer ;

To declare Mary E. McLean, of Coosa, a free dealer ;

Resolutions to the Governor, to appoint three lawyers, whose duty it shall be to examine the Revised Code of Alabama.

WM. B. CLOUD, Clerk of House.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the Judiciary Committee, reported favorably to the bill to protect *bona fide* purchasers for valuable consideration ;

Which bill was read a third time and passed, and ordered forthwith to the House.

Also, reported favorably to bills to authorize the removal of estates from one county to another in certain cases ;

To amend section 3598 of the Revised Code ;

To legalize and establish the city court of Huntsville ;

Which reports were severally concurred in.

Also, reported adversely to the bill for the preservation of the public peace ;

Which report was concurred in.

Mr. Jones, from the Committee on Municipal and County Organizations, reported adversely to the bill to create the county of Chillahatchie.

Mr. Whitney moved to recommit the bill to a select committee of five ;

Which motion was carried, and Messrs. Whitney, Hays, Richards, Buckley and Bromberg were appointed.

Also, reported favorably to the bills—

To ratify and confirm the election of commissioners of revenue of Mobile county ;

To repeal an act authorizing the appointment of a general administrator and general guardian for Mobile county, &c. ;

Which bills were severally read a third time and passed.

Mr. Foster, from the Committee on Accounts and Claims, reported favorably to the bill for the relief of Lafayette Read ;

Which bill was read a third time and passed.

#### ORDERS OF THE DAY.

House resolution for the Governor to appoint three lawyers, whose duty it shall be to examine the Revised Code, Was read twice.

Mr. Bromberg moved to amend, as follows, which amendment was adopted :

“ That said committee shall have power to continue their labors during the recess of the General Assembly, and report at the re-assembling of the same.”

Mr. Foster moved to postpone the further consideration of the resolution until Wednesday next.

Mr. Bromberg moved to lay said motion on the table ;

Which motion was lost.

Mr. McAfee moved to postpone indefinitely.

Mr. Farden moved to lay said motion on the table ;

Pending consideration of which,

Senate adjourned till 10 o'clock to-morrow morning.

## FOURTH DAY.

MONDAY, July 27, 1868.

Senate met pursuant to adjournment.

Journal of yesterday was read and approved.

Prayer by the Rev. Mr. Harper, in the absence of the chaplain.

On motion of Mr. Whitney, the Senate reconsidered the vote of Saturday, ordering forthwith to the House, and the passage of the bill to protect *bona fide* purchasers for valuable consideration ;

And said bill was recommitted to the Judiciary Committee.

## CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr Sibley, to authorize the probate judge of Russell county to remove the books and records to a place of safety ;

By Mr. McAfee, to extend the corporate limits of the town of Talladega ;

Which bills were severally read twice, and referred to the Committee on County and Municipal Organizations.

By Mr. Sibley, to regulate elections ;

Which was read twice and 150 copies ordered to be printed, and the bill referred to the committee on registration.

By Mr. Farden, to legalize the assessment of taxes ;

By Mr. Bromberg, a memorial from insurance agents in Mobile ;

Which was read and referred to the Committee on Taxation ;

By Mr. Farden, a memorial from the Autauga agricultural society ;

Which was referred to the Committee on Agriculture and Manufactures ;

By Mr. Stow, to amend an act to extend the period for the grading of the Tennessee and Alabama Central railroad from Decatur, &c. ;

By Mr. Stow, to amend section 1417 of the Revised Code ;

By Mr. Stow, further to amend an act to incorporate the South and North Alabama railroad company, approved February 17, 1854 ;

By Mr. Worthy, to change the time of holding the circuit courts in the eighth judicial circuit ;

Which bills were severally read twice and referred to the Judiciary Committee.

By Mr. Foster, to provide for the appointment and election of justices, constables and notaries public ;

Which was read twice forthwith.

Mr. Farden moved to amend section 2 as follows ;

Which was adopted :

“Instead of holding office for three years from the time they qualify, shall hold for three years after the next general election” ;

Bill, as amended, was referred to the Judiciary Committee.

By Mr. Yordy, to amend section 1468 of the Code ;

Which was read twice and referred to the Committee on Poor Laws and Charitable Institutions.

By Mr. Bromberg, to amend the corporation laws of Alabama ;

Which was ordered to a second reading.

#### REPORT OF STANDING COMMITTEES.

Mr. Sibley, from the Committee on Privileges and Elections, reported favorably, with amendment, to the bill, to establish a ferry on the Tallapoosa river ;

Which amendment was adopted ;

Mr. Lambert moved to postpone the further consideration of the bill until Friday next ;

Mr. Whitney, moved indefinite postponement ;

Which motion was lost ;

Mr. Lambert's motion was also lost ;

Bill was ordered to be engrossed for a third reading ;

Also, reported adversely to bills :

To legalize certain officers therein named ;

To provide for the election of members of Congress in this State ;

Which reports were severally concurred in ;

Also, reported favorably to the bill,

To enable certain officers to enter upon their duties ;

Which bill, on motion of Mr. Whitney, was laid on the table.

Mr. Farden, from the Committee on Internal Improvements, reported favorably to the bill in relation to the 3 per cent. fund ;

Which bill was read a third time and passed, and ordered forthwith to the House ;

Also, reported adversely to the bill to amend the charter of the Eureka Mining company ;

Which bill, on motion of Mr. Pennington, was recommit-  
ted to the same committee ;

Also, reported adversely to the memorial of R. M. Robert-  
son, president of the New Orleans and Selma railroad com-  
pany ;

Which report was concurred in ;

Mr. Sanford, from the Committee on Poor Laws and Chari-  
table Institutions, reported favorably to the bill for the relief  
of the poor houses in the several counties of the State of  
Alabama ;

Which bill was read a third time and passed.

Mr. Yordy, from the Committee on Taxation, reported fa-  
vorably to the bill to refund certain taxes to the citizens of  
Marengo county ;

Which bill was read a third time and passed.

Mr. McAfee, from the Judiciary Committee, reported favora-  
bly, with amendments, to the bill to regulate the execution  
and approval of official bonds, &c. ;

Which amendments were concurred in, and the bill read a  
third time and passed.

Also, reported favorably to the bill for the relief of the  
estate of David Hanby, deceased, late of Jefferson county ;

Which bill was read a third time and passed, and ordered  
forthwith to the House ;

Also, reported a substitute for the bill to repeal an act au-  
thorizing writs of garnishments against incorporated cities,  
towns, &c. ;

Which substitute was adopted,

And the bill was read the third time and passed, and order-  
ed forthwith to the House.

Message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
July 27, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its  
having concurred in the passage of the following Senate bills,  
to-wit :

A bill to be entitled an act to prescribe the number of com-  
missioners in Mobile county ;

A bill to be entitled an act for the qualification of Addison P.  
Gage as an executor of Charles P. Gage ;

A bill to be entitled an act to incorporate the Cleburne  
Fire Company, No. 1, of Eufaula ;

A bill to be entitled an act for the relief of Henry Bird ;  
 And has originated and passed the following bill to be entitled an act to locate permanently the seat of justice in Washington county.

Very respectfully,

W. B. CLOUD,  
 Clerk of House.

Mr. Coon introduced joint resolutions for the removal of political disabilities ;

Which was read.

Mr. Silsby moved to refer them to the Senate as a committee of the whole, on the affairs of Alabama ;

Which motion was ruled out of order ;

Mr. Pennington, moved to refer to the joint committee on registration ;

Which motion, however, was afterwards withdrawn ;

Mr. Jones moved indefinite postponement,

Which motion was lost—yeas 15, nays 16.

Those who voted in the affirmative are, Messrs. Barr, Hays, Johnston, Jones, King, Mabry, Mahan, McAfee, Martin, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Coon, Farden, Foster, Hinds, Lambert, Lentz, Oliver, Richards, Royal, Sanford, Sibley, Stow, Whitney and Mr. President—16.

Mr. Coon moved to make the resolutions special order for 11 o'clock to-morrow morning ;

Pending the consideration of which,

On motion of Mr. Jones,

Senate adjourned till 10 o'clock to-morrow morning.

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## FIFTH DAY.

SENATE CHAMBER, }  
 Tuesday, July 28, 1868. }

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of yesterday read and approved.

On motion of Mr. Whitney, the call of the districts was suspended in order to take up Senate bills on their third reading.



The following bills were read a third time and passed :

To provide township maps and copies of field notes for the use of county surveyors ;

To confirm the election of judge and clerk of city court of Selma ;

To authorize the Secretary of State to furnish missing volumes of supreme court reports to certain probate judges ;

For the relief of Hugh Montgomery of Cleburne county ;

To authorize the Governor to fill vacancies in the supreme and chancery courts ;

To extend the time for the collection of the taxes for 1867 ;

To prevent the carrying of hostile or deadly weapons known as "rifle walking canes," or gun shot canes ;

To require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties ;

For the relief of Russell L. Griffin of Lee county ;

Bill to establish a ferry on the Tallapoosa river,

Was read a third time.

Mr. Worthy called the previous question,

Which call was submitted, but the bill was lost, yeas 12 ;  
nays 16.

Those who voted in the affirmative are, Messrs, Hays, Johnston, Jones, Mabry, Mahan, Martin, Oliver, Pennington, Sibley, Worthy, Wyman and Yordy—12,

Those who voted in the negative are, Messrs. Bromberg, Buckley, Coon, Farden, Foster, Hinds, King, Lambert, Lentz, McAfee, Richards, Sanford, Sevier, Stow, Whitney and Wise—16.

Bill to repeal an act to incorporate the town of Livingston, in Sumter county, &c. ;

Was laid on the table.

Leave of absence was granted to Mr. Barr for one hour.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
July 27, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

An act to declare Wm. Bodie, a liner between the counties of Butler and Crenshaw, a citizen of Butler county, and to change the county line between said counties ;

An act to authorize the court of county commissioners of

Clay county to divide said county into election precincts, and define the boundaries thereof ; and

Originated and adopted the following joint resolutions :

Fixing pay of members and officers of the Legislature ;

Also, to return following Senate bills to the secretary of Senate, for proper authentication ;

An act to authorize Mary A. Norred to sell certain lands ;

An act for the relief of Samuel C. Coulson, late probate judge of Jackson county, and his sureties ; and has

Adopted the following joint resolution :

Appointing a committee to compare the printed Constitution of Alabama with the original papers of the Constitutional Convention.

W. B. CLOUD, Clerk.

Mr. Pennington offered a joint resolution fixing the pay of the members and officers of the General Assembly ;

Which resolution, on motion of Mr. Foster, was laid on the table.

Mr. Coon, from the committee on the militia, reported a bill for the organization and government of the volunteer militia of the State of Alabama ;

Which was read, and 150 copies ordered to be printed and made special order for 11 o'clock on Thursday next.

Mr. Pennington, from the joint select committee on disabilities, reported a bill to remove the disabilities imposed by the second clause of the 3d section of article 7 of the Constitution of the State of Alabama ;

Which was read, 100 copies ordered to be printed, and made special order for 12 o'clock on Friday next.

Mr. Coon was allowed till the same time to submit and have printed a minority report on the same subject.

Senate bills, for the relief of Mary A. Lambert ;

To preserve order at elections,

Were ordered to be engrossed for a third reading.

Senate bill to change the corporation laws of Alabama ;

On motion of Mr. Oliver, was amended by additional sections, Nos. 13 and 14 ;

And the bill, as amended, was referred to the committee on internal improvements.

House bills, to declare Wm. Bodie, a liner between the counties of Butler and Crenshaw, a citizen of Butler county, &c. ;

To authorize the court of county commissioners of Clay county to divide said county into election precincts, and to define the boundaries thereof ;

To make Mary E. McLean, of Coosa county, a free dealer ;  
 To make Susan Ann May a free dealer ;  
 To declare Sophronia Irving Riley a free dealer,  
 Were read and ordered to a second reading.

House bills, for the relief of Louisa F. Thompson ;  
 To locate permanently the seat of justice in Washington county ;

Were read three times forthwith, and passed.

House joint resolution to the Governor to appoint three lawyers to examine the Code,

Was postponed indefinitely.

House resolution to change House rule No. 24,  
 Was laid on the table.

House bill allowing compensation to commissioners of roads and revenue in Baldwin county,

Was read a second time, and ordered to a third reading.

House bills, for the relief of Peyton Baughn, probate judge of Winston county ;

To change the name of Covington county,

Were severally read a second and third time, and passed.

House bill, for the relief of John W. Campbell, of Maren-go county,

Was read twice and referred to the Judiciary committee.

Mr. Barr introduced a bill to authorize investigation into fires in incorporated towns and cities ;

Which was read twice and referred to the judiciary committee.

Mr. Hinds introduced a bill to prevent crimes,

Which was ordered to a second reading.

On motion of Mr. Foster, Mr. Pennington's resolution relating to the pay of the members and officers of the General Assembly, was taken from the table ;

Mr. Barr moved to amend so as to except the president of the Senate ;

Which motion was carried.

Mr. Farden moved to amend so as to pay the secretary of the Senate \$10 per day ; door keeper, \$4 ; sergeant-at-arms, \$6 ; pages, \$3 ; chaplain, \$4 ;

Which motion was carried.

Mr. Hinds moved to amend so as to allow the assistant secretary \$8 per day ;

Mr. Barr moved to amend, as follows :

Amend by changing the words of the Code "to be computed according to the distances herein specified," so as to read, "to be computed by the usually traveled route."

Mr. Hays moved to lay the resolution and amendments on the table,

Which motion was lost.

On motion of Mr. Pennington, the resolution and amendments were indefinitely postponed.

Mr. Barr introduced a bill to prescribe the salaries of the public officers of this State,

Which was read twice.

Mr. Farden moved to amend by changing the Governor's salary from \$4,000 to \$3,000 ;

Which motion was carried.

Also, to change the salaries of circuit judges from \$3,600 to \$3,000 ; private secretary of the Governor from \$2,000 to \$1,200 ; and recording secretary to \$1,000.

Pending its consideration, Senatè adjourned till 10 o'clock to-morrow morning.

## SIXTH DAY.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of yesterday was read and approved.

Mr. Whitney, from the committee on enrolled bills, reported as correctly enrolled, bills as follows :

To legalize an informal election held in the county of Dale, State of Alabama ;

To prescribe the number of commissioners of revenue of Mobile county ;

To continue in force certain laws ;

For the relief of Henry Bird, of Lee county ;

To exempt the sheriff of Marengo county, Alabama, from the provisions of act No. 186, sections 1, 2, 3, 4, acts of Alabama, 1866--7, page 173.

To incorporate the Cleburne Fire Company No. 1, of Eu-  
faula ;

To change the present seat of the county of Russell, and State of Alabama ;

For the qualification of Addison Gage, as one of the executors of Charles P. Gage, of Mobile, deceased.

On motion of Mr. Oliver, the call of the districts was suspended, in order to allow standing committees to report.

## REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the Judiciary Committee, reported adversely to bills—

To enable certain administrators to dispose of property at private sale ;

For the relief of L. M. Stiff ;

To amend the laws of the State of Alabama relating to the distribution of the assets of insolvent estates ;

To make the warrant of the comptroller, issued to members of the constitutional convention, receivable for dues to the State ;

To relieve the people and the State of unauthorized adjudication in civil cases ;

Which reports were severally concurred in.

Also, reported favorably to bills—

To amend section 2536 of the Revised Code ;

To amend section 4198 of the Revised Code ;

To change the times of holding the circuit court in the 8th judicial circuit ;

To amend the Revised Code of Alabama ;

To authorise the hearing of applications for re-hearings of cases in the supreme court, and for other purposes ;

Which bills were severally ordered to be engrossed for a third reading.

Also, reported a substitute for the bill to define the duties of county solicitors ;

Which substitute was adopted, and the bill read a third time and passed.

Also, reported favorably, with amendment, to the bill to authorise investigation into cause of fires in incorporated towns and cities ;

Which amendment was adopted, and the bill read a third time and passed.

Also, reported a substitute for the bill to amend section 1417 of the Revised Code ;

Which substitute was adopted, and the bill read a third time and passed.

Also, reported favorably to the bills—

To amend an act to extend the period for the grading of of the Tennessee and Alabama Central Railroad, &c. ;

To consolidate and make joint stock of the Mobile and Great Northern Railroad Company and the Alabama and Florida Railroad Company of Alabama, &c. ;

To amend an act to incorporate the South and North Alabama Railroad Company, approved February 17, 1854 ;

To fix the time for holding the circuit court in the 2d judicial circuit ;

Which bills were severally read a third time, and passed.

Also, reported favorably, with amendments, to the bill to authorize appeals to the supreme court, and proceedings in chancery for the correction of errors, in certain cases ;

Which amendments were adopted, and the bill ordered to be engrossed for a third reading.

Also, reported favorably, with amendments, to the bill to authorize the probate court to render decrees in certain cases ;

Which amendments were adopted, and the bill ordered to be engrossed for a third reading.

Mr. Yordy, from the committee on taxation, reported favorably, with an amendment, to the bill to legalize the assessment of taxes ;

Which amendment was laid on the table.

Mr. Sibley moved to amend, as follows :

“ Providing that no tax shall be levied on pistols and bowie knives ” ;

Which amendment was cut off, by a call for the previous question, which was sustained ;

And the bill was ordered to be engrossed for a third reading.

Also, reported two bills of the following titles :

To amend subdivision 6 of section 434 of the Revised Code ;

To amend section 1186 of the Revised Code ;

Which bills were severally read three times forthwith, and passed.

Mr. Jones, from the committee on county and municipal organizations, reported adversely to the bills :

To authorize the probate judge of Russell county to remove the books and records to a place of safety ;

To authorize the commissioners of revenue of Mobile county to issue bonds, &c. ;

Which reports were severally concurred in ;

Also, reported favorably to the bills :

To extend the corporate limits of the town of Talladega ;

To change the county line between Talladega and Clay counties ;

Which bills were severally read a third time and passed.

Mr. Farden, from the committee on internal improvements, reported favorably to the bill,

To alter and amend an act to establish internal improvements in the State of Alabama ;

Which bill was read a third time and passed.

On motion of Mr. Coon, the Senate reconsidered the vote indefinitely postponing House joint resolution to the Governor

to appoint three lawyers to examine the Revised Code ;  
Mr. Coon offered a substitute,  
Which was adopted.

On motion of Mr. Sanford, "three" was stricken out and  
"one" inserted ;

Mr. Farden moved to lay the resolution on the table ;

Which was lost ;

Resolution as amended,

Was read the third time and passed.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bills—

To authorize and empower David Lewis McNeil, a minor,  
of Elmore county, to settle with his guardian ;

To declare Belinda Caroline Brewington a lawful heir ;

Which bills were severally read a third time and passed.

Mr. Barr, from the committee on industrial resources, reported a substitute for the bill in relation to the board of immigration ;

Which substitute and the original bill were ordered to be printed, 150 copies of each.

Message was received from the Governor :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

An act to continue in force certain laws ;

An act to legalize an informal election held in Dale county, State of Alabama.

Very respectfully,

Your obedient servant,

D. L. DALTON, Secretary.

A message was received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
July 29, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bills of the following titles :

Bill to be entitled an act in relation to the three per cent. fund ;

Bill to be entitled an act to establish the county seat for the county of Jackson ;

Bill to be entitled an act to authorize sheriffs elect to give the casting vote in certain cases ;

Bill to be entitled an act to fix the time of holding circuit court in the 7th judicial circuit, State of Alabama ;

And of its having originated and passed bills of the following titles :

A bill to be entitled an act to authorize C. A. Castello to sell the lands of the estate of P. D. Castello at private sale ;

A bill to be entitled an act to regulate sales of property under legal process in this State ;

A bill to be entitled an act to regulate the time of holding the courts of the 6th judicial circuit.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Leave of absence was granted to Mr. Jones for one hour.

Bills were introduced as follows :

By Mr. Jones, to amend the city charter of Demopolis, Alabama ;

By Mr. Barr, making appropriations to pay the contingent expenses of the Senate ;

Which bills were severally read three times forthwith and passed.

By Mr. Sibley, to repeal an act to establish the city court of Huntsville ;

Which was read three times forthwith and passed ;

By Mr. Coon, to prevent disorderly conduct ;

By Mr. Stow, to amend the law in relation to private corporations ;

By Mr. Pennington, to amend sections 28 and 29 of the Revised Code ;

By Mr. Hinds, for the relief of Mrs. Jane Johnson ;

By Mr. McAfee, to establish chancery divisions and districts therein ;

Which bills were severally read twice and referred to the judiciary committee ;

By Mr. Coon, authorizing the purchasers of any railroads or parts thereof, under mortgage sale, or according to the terms of deeds of trust to organize as incorporated companies, &c. ;

By Mr. Stow, to authorize the courts of county commissioners of Elmore and Autauga, Jefferson, Blount and Morgan, to subscribe for railroad stock ;



Which bills were severally read twice and referred to the committee on internal improvements.

By Mr. Stow, to authorize the incorporation of life insurance and mutual aid associations;

Which bill was read twice, and referred to the committee on banks and insurance;

By Mr. Stow, to incorporate the Dexter Fire Engine Company of Montgomery;

Which was read and laid on the table;

By Mr. Wyman, to provide for the registry of the votes of the State of Alabama;

Which was read twice and referred to the committee on registration;

By Mr. Martin, for the better security of peace and harmony in the State of Alabama;

Which was ordered to a second reading;

By Mr. Hinds, to form a new county to be called Oostanaula;

Which was read twice and referred to the committee on municipal and county organizations;

By Mr. Hinds, to authorize the Secretary of State to subscribe for 100 copies of Cram's new map of Alabama;

Which was read and laid on the table.

Mr. Mabry called up his joint resolutions proposing amendments to the constitution;

Which were read a second time and referred to the judiciary committee.

The Senate then adjourned till 10 o'clock to-morrow morning.

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## SEVENTH DAY.

THURSDAY, July 30, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of yesterday was read and approved.

Mr. President swore in the officers of the Senate.

### CALL OF THE DISTRICTS.

On the call of the districts, the following bills and joint resolutions were introduced:

By Mr. Barr, to pay the officers of the General Assembly not provided for by the Revised Code; which was read twice;

On motion of Mr. Worthy, the bill was amended, so as to strike out "the clerks of the committees on judiciary and militia ;"

As amended, the bill was read a third time and passed and ordered forthwith to the House.

By Mr. Sibley, for the punishment of incendiary publications ;

By Mr. Mahan, to repeal a portion of an act to incorporate the Briarfield Iron Works Company of Bibb county ;

By Mr. McAfee, to consolidate the offices of judge of probate and county court in each county in Alabama, to be known as "county court ;"

By Mr. Mabry, to amend section 730 of the Code ;

By Mr. Farden, supplemental to act to fix the time of the regular annual session of the General Assembly ;

Also, remove the county site of Autauga county ;

By Mr. Buckley, to secure the punishment of disturbers of the public peace ;

By Mr. Wyman, to provide for keeping the peace at elections and other public gatherings ;

By Mr. Bromberg, to amend section 3616 of revised code ;

Which bills were severally read twice and referred to the Judiciary Committee.

By Mr. Pennington, joint resolution to amend and alter the constitution of Alabama ;

Which was read, and 100 copies ordered to be printed.

By Mr. Farden, to authorize the Autauga Agricultural Society to sell certain property ;

Which bill was read twice, and referred to the committee on agriculture and manufactures ;

By Mr. Buckley, for the relief of Susan Henrietta Bradley ;

Which was read twice and referred to the committee on grievances and disabilities.

By Mr. Hays, to amend the corporation laws of Alabama ;

Which was read twice and referred to the committee on industrial resources ;

By Mr. Johnston, a petition of J. L. Blackburn ;

Which was read and referred to the committee on grievances and disabilities.

By Mr. Barr, joint resolution relative to certain books and papers of public interest ;

Which was read three times forthwith, and passed.

By Mr. Wyman, to prohibit the sale of spirituous liquors on election day.

Which was read twice, and referred to the judiciary committee.

A message was received from the House, as follows :

HALL OF HOUSE OF REPRESENTATIVES, }  
July 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

Bill to be entitled an act for the relief of public officers ;

To be entitled an act to amend an act entitled an act to prohibit the sale of spirituous and intoxicating liquors within two miles of the academy and church near Alfred Collins, in DeKalb county ;

To be entitled an act to provide for the appointment and qualification of State and county officers,

As a substitute for Senate bills of the following titles :

Bill to be entitled an act to continue in office certain municipal and State and county officers ;

To continue certain persons in office, and to empower the Governor to fill vacancies and make appointments.

And of its having originated and passed the following bill :

To authorize the Governor to commission certain officers of Lowndes county.

WM. B. CLOUD, Clerk House Reps.

Leave of absence was granted to Mr. Martin.

Leave of absence was granted to Mr. Jones until Tuesday next.

At 11 o'clock the special order came up, it being the militia bill, which, on motion of Mr. Coon, was recommitted to the committee on militia.

#### REPORTS OF STANDING COMMITTEES.

Mr. Whitney submitted the following report :

We have examined the following bills, and find them correctly enrolled :

An act to regulate the execution and approval of the official bonds of the State and county officers, and for other purposes .

A bill to be entitled an act in relation to the three per cent fund.

Mr. Farden, from the committee on internal improvements, reported favorably to the bill authorizing purchasers of any railroads, or parts thereof, under mortgage sale, or sale according to the terms of deed of trust, to organize as incorporated companies, &c. ;

Which bill was read a third time and passed,

And ordered forthwith to the House.

Also, from the same committee, reported a substitute for the

bill to amend the charter of the Eureka Mining Company ;

Which substitute was adopted, and the bill read a third time and passed ;

And ordered forthwith to the House.

Mr. Sibley called up the adverse report to the bill for the preservation of the public peace.

Mr. Sibley moved to lay the report on the table ;

Which motion was lost.

Mr. Pennington moved to amend, as follows :

*Provided*, That nothing in this act shall be so construed as to prevent persons, male or female, black or white, peaceably inclined, to assume and wear masks at masquerade balls, held for innocent amusement, or theatrical performances ;

Which was accepted.

Senate refused to concur in the adverse report—yeas 13 ; nays 14.

Those who voted in the affirmative, are, Messrs. Bromberg, Hays, Johnston, Jones, King, Lambert, Mabry, Mahan, McAfee, Sevier, Stow, Worthy and Wyman—13.

Those who voted in the negative are, Messrs. Barr, Buckley, Coon, Farden, Hinds, Lentz, Oliver, Pennington, Richards, Royal, Sibley, Whitney, Yordy, and Mr. President—14.

Mr. Whitney moved the previous question, which was sustained.

Mr. Mabry moved to amend, as follows :

“Provided that this act shall not include the county of Barbour.”

Mr. Pennington moved to exclude “the county of Lee.”

On motion of Mr. Bromberg, the bill and amendments were recommitted to the judiciary committee.

A message was received from the House of Representatives, as follows :

HOUSE OF REPRESENTATIVES, }  
July 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bill :

Entitled an act to regulate the publication of legal notices.

Also, joint resolution to provide for the recess of both Houses.

WM. B. CLOUD, Clerk.

Senate then adjourned till 10 o'clock to-morrow morning.

## SEVENTH DAY.

SENATE CHAMBER,  
Friday, July 31, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of Saturday was read and approved, with corrections as to leave of absence to Mr. Jones.

Mr. Worthy introduced a bill to amend section 4339 of the Revised Code ;

Which was read three times forthwith and passed, and ordered forthwith to the House.

On motion of Mr. Richards, the call of the districts was suspended in order to take up the orders of the day.

A message was received from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows, viz :

To be entitled an act to exempt the sheriff of Marengo county, Alabama, from the provisions of Act No. 186, sections 1, 2, 3, 4, Acts of Alabama, 1866-7, page 173 ;

A bill to be entitled an act to prescribe the number of commissioners in Mobile county ;

A bill to be entitled an act for the relief of Henry Bird ;

A bill to be entitled an act to incorporate the Cleburne Fire Company, No. 1, of Eufaula ;

A bill to be entitled an act for the qualification of Addison P. Gage as an executor of Charles P. Gage ;

An act in relation to the three per cent.

Very respectfully, your obd't serv't,

D. L. DALTON, Secretary.

Mr. Sibley offered an amendment,

Which was lost,

And the bill was ordered to be engrossed for a third reading.

Mr. McAfee, from the judiciary committee, reported a substitute for the bill to prohibit the sale of spirituous liquors on election days ;

Which substitute was adopted and laid on the table.

Also, reported favorably to the bill to remove the county site of Autauga county ;

Which bill was read a third time and passed.

Also, reported favorably to the bill to make one of, and consolidate the office of judge of probate and of county court, &c. ;

Which bill was recommitted to the judiciary committee.

Also, reported favorably to the bill to repeal a portion of an act to incorporate the Briarfield Iron Works Company of the county of Bibb ;

Which bill was read a third time and passed.

Senate adjourned till 10 o'clock to-morrow morning.

## EIGHTH DAY.

Saturday, August 1, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin.

Journal of yesterday was read and approved.

Mr. President laid before the Senate a copy of General Orders No. 108, issued by Major General Meade, under date of July 30, 1868, at Atlanta, Ga.

HEADQUARTERS, DEPARTMENT OF GEORGIA, }  
FLORIDA AND ALABAMA, }  
Atlanta, Georgia, July 30, 1868. }

General Orders, No. 108.

I.—The several States comprising this Military District, having by solemn acts of their assemblies, conformed to the requisitions of the act of Congress which became a law June 25, 1868, and civil government having been inaugurated in each, the military power vested in the district commander by the Reconstruction Laws, by the provisions of these laws ceases to exist—and hereafter all orders issued from these Headquarters and bearing upon the rights of persons and property, will have in the several states of Georgia, Alabama and Florida, only such force as may be given to them by the courts and legislatures of the respective States.

II.—To conform to the changed condition of affairs, the commanders of the several sub-districts, hereafter to be designated as districts, will, without delay, withdraw all detachments of troops, whether infantry or cavalry, and concentrate their command, as hereinafter directed.

III.—In the district of Georgia, the following posts will be occupied.

Dahlonga—One company of infantry.

Savannah—Two companies of infantry.

Atlanta—Seven companies of infantry.

The above posts will be occupied by the 16th regiment of infantry, whose Colonel will designate the companies and also will assign the Lieutenant-Colonel to the post of Atlanta, and the Major to Savannah.

IV.—In the district of Alabama, the posts to be occupied will be

Mobile—Two companies of infantry.

Huntsville—Eight companies of infantry.

These posts will be garrisoned by the 33d regiment of infantry, Brevet Brigadier General Thomas H. Ruger, commanding, who is hereby assigned to the command of the district of Alabama, Headquarters at Huntsville:

The Colonel commanding will assign the Lieutenant-Colonel to the post of Huntsville, and the Major to the post of Mobile.

The 15th regiment of infantry, Brevet Brigadier General O. L. Shepherd, commanding, will, as soon as practicable after the receipt of this order, be concentrated at Mobile, with a view to its transfer to Texas, in compliance with orders received from the War Department.

On relieving Brevet Brigadier General O. L. Shepherd of the district of Alabama, Brevet Brigadier General Ruger will also relieve him of the duties as Assistant Commissioner Bureau Refugees, Freedmen, and Abandoned Lands, and continue to discharge said duties pending the action of the Commissioner of the Bureau.

Company G, 5th cavalry, now at Montgomery, on receipt of this order, will be put *en-route* for Atlanta, Georgia, where, on its arrival, it will, in conjunction with company C, 5th cavalry, form the escort and guard of the Major General commanding, and will report direct to these Headquarters.

V.—In the district of Florida, the posts to be occupied by the companies of the 7th regiment of infantry, will be

St. Augustine—Two companies.

Tampa Bay—Two companies.

Jacksonville—Six companies.

The Headquarters of the regiment will be at St. Augustine, and the Colonel commanding will assign the Lieutenant Colonel to the post of Jacksonville, and the Major, to that of Tampa Bay.

VI.—The discontinuation of posts and the cessation of control over civil matters, will enable district commanders, and chiefs of staff departments, to make large reductions in the personal and material of their commands and departments. All unnecessary staff officers, clerical labor, &c., will at once be ordered to their companies, and every effort made to retrench expenditures and enforce economy. Inspecting officers are instructed in their inspections, to give special attention to the manner in which the above is executed, and to report any failure to comply with the same.

By order of Major General MEADE :

S. F. BARSTOW,  
Acting Assistant Adj. Gen.

OFFICIAL :

A. D. C.

Mr. Hays called up the bill to amend the corporation laws of Alabama ;

Which was read a third time and passed.

Leave of absence was granted to Mr. Stow for the balance of the session.

A message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
Aug. 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the passage of the following Senate bills, to-wit :

A bill to be entitled an act to alter and amend an act to establish a system of internal improvement in the State of Alabama ;

To amend an act to incorporate the South and North Alabama railroad company, approved February 17, 1854 ;

To legalize and establish the city court of Huntsville ;

A bill to be entitled an act to amend section 1186 of the Revised Code of Alabama ;

An act to consolidate and make joint stock of the Mobile and Great Northern Railroad Company and the Alabama and Florida Railroad Company of Alabama, and to change the name of said companies to the Mobile and Montgomery Railroad Company ;

A bill to be entitled an act to amend an act to extend the period for the grading of the Tennessee and Alabama Central



Railroad from Decatur to a point a few miles east of Montevallo, approved Oct. 7, 1864, by allowing a further extension of the period for such grading ;

A bill to be entitled an act to amend the city charter of Demopolis, Alabama ;

A bill to be entitled an act to amend the Revised Code of Alabama ;

A bill to be entitled an act to amend subdivision 6, of section 434, of the Revised Code of Alabama ;

A bill to be entitled an act to fix the time of holding courts in the 2d judicial circuit ;

A bill to be entitled an act to extend the corporate limits of the town of Talladega ;

A bill to be entitled an act to declare Belinda Caroline Brewington, a lawful heir ;

To repeal an act authorizing the appointment of a general administrator and general guardian for Mobile county, &c. ;

A bill to be entitled an act for the relief of Mrs. Sarah A. Lambert, of Monroe county ;

A bill to be entitled an act to ratify and confirm an election held on the 4th, 5th, 6th, 7th and 8th days of February, 1868, for commissioners of revenue for Mobile county, and providing for filling vacancies in the said board ;

A bill for the relief of the estate of David Hanby, deceased, late of Jefferson county ;

A bill to be entitled an act to authorize and empower Daniel L. McNeil, a minor, of Elnore county, to settle with his guardian ;

To extend the time for the collection of the taxes for 1867 ;

An act to authorize Mary A. Norred to sell certain lands ;

An act for the relief of Samuel C. Coulson, late probate judge of Jackson county, and his sureties ;

For the relief of Russell L. Griffin of Lee county ;

To prevent the carrying of hostile or deadly weapons known as "rifle walking canes," or gun shot canes ;

To confirm the election of judge and clerk of city court of Selma ;

Also, that it has concurred in Senate joint resolution requiring the Secretary of State to furnish certain probate judges with volumes of the reports of Supreme Court of Alabama.

WM. B. CLOUD, Clerk of House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Aug. 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its hav-

ing originated and passed joint resolution to continue the board of immigration, and that a commissioner be appointed, and for other purposes ;

And having originated and passed the following bill :

To relieve certain persons of Chambers county ;

And of its having concurred in the passage of the Senate bill making appropriations to pay contingent expenses of the Senate at the present session.

The House has originated and passed a bill—

To amend and continue in force an act to incorporate a company to build a bridge across the Black Warrior river opposite the town of Tuscaloosa, approved January 2d, 1833 ;

And of its having passed Senate bill to amend section 4339 of the Revised Code of Alabama.

WM. B. CLOUD, Clerk of House.

A message was received from the Governor by Mr. Dalton, Private Secretary, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has this day approved and signed bills which originated in the Senate, to be entitled as follows, viz :

An act to regulate the execution and approval of the official bonds of State and county officers, and for other purposes ;

An act to pay the officers of the General Assembly not provided for by the Revised Code.

Very respectfully,

D. L. DALTON, Private Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

An act to authorize sheriffs elect to give the casting vote in certain cases ;

An act to fix the time of holding circuit courts in the 7th judicial circuit, State of Alabama ;

An act to establish the county seat for the county of Jackson.

CHAS. O. WHITNEY, Chairman.

The call of the districts was suspended to take up the

#### ORDERS OF THE DAY.

House bills to make Mary E. McLean a free dealer ;

To declare William Bodie a citizen of Butler county ;  
 Were severally read a third time and passed.

House bill to regulate the sales of property under legal process ;

Was read a second time and referred to the committee on the judiciary.

House bill for the relief of public officers ;

Was read a second time.

On motion of Mr. Foster, " thirty " was stricken out and " sixty " inserted.

As amended, the bill was read a third time and passed.

House joint resolution to appoint a committee to compare the printed constitution with the original papers of the constitutional convention ;

Was read twice and referred to the committee on printing.

House joint resolution fixing the pay of the members and officers of the General Assembly ;

Was read and ordered to a second reading.

House bill to amend and continue in force an act to incorporate a company to build a bridge across the Warrior river, opposite the town of Tuscaloosa, approved Jan. 2, 1833 ;

Was read three times forthwith, and passed.

Leave of absence was granted to Mr. Buckley until Tuesday next.

Senate bill to authorize the hearing of applications for rehearing of causes in the Supreme Court, and for other purposes ;

Was read a third time and laid on the table.

Mr. President laid before the Senate a resolution from the board of education ;

Which was read and referred to the committee on education.

Senate bills to change the time of holding the circuit court in the 8th judicial circuit ;

To authorize appeals to the supreme court and proceedings in chancery, in certain cases ;

Were severally read a third time and passed.

At 11 o'clock, the special order came up, it being the disabilities bill.

Senate refused to adopt the majority report.

On motion of Mr. Worthy, the minority report was laid on the table.

Mr. Coon, from the committee on militia, reported a substitute for the bill for the organization of the militia of the State of Alabama ;

Which was adopted ;

And the bill was read a third time and passed, and ordered forthwith to the House.

House bill to authorize the Governor to commission certain officers in Lowndes county ;

To amend an act to prohibit the sale of spirituous and intoxicating liquors within two miles of the academy and church near Alfred Collins', in DeKalb county ;

To authorize C. A. Castello to sell the lands of the estate of P. D. Castello at private sale ;

To regulate the time of holding the circuit courts of the 6th judicial circuit ;

Allowing compensation to commissioners of revenue for Baldwin county ;

Were severally read three times forthwith, and passed;

House bill for the relief of public officers ;

Was read and ordered to a second reading.

House bill to regulate the publication of legal notices,

Was read twice forthwith.

Mr. Mabry moved to lay the bill on the table,

Which motion was lost.

Mr. Worthy moved to refer the bill to the judiciary committee.

Mr. Sibley moved to refer to the committee on fees and salaries,

Which was carried.

On motion of Mr. Stow, the committee was instructed to report at 11 o'clock to-morrow morning.

House bill to regulate the sale of property under legal process in this State ;

Was read and ordered to a second reading.

House bills to make Mary E. McLean, of Coosa county, a free dealer ;

To declare Wm. Bodie a citizen of Butler county, &c. ;

To declare Sophronia Irving Riley a free dealer,

Was severally read twice and referred to the judiciary committee.

House bill to make Susan Ann May a free dealer,

Was read a second and third time and passed.

House bill to authorize the court of county commissioners of Clay county, to divide said county into election precincts,

Was read a second time and referred to the committee on municipal and county organizations.

House joint resolution to provide for a recess of the two Houses, was read and laid on the table.

House substitute for Senate bills, to continue in office certain persons, and to empower the Governor to fill vacancies, and fill appointments ;

To continue in office certain municipal, State and county officers,

Was read and adopted.

Mr. Bromberg offered a substitute ;

Mr. Whitney offered an amendment ;

Mr. Farden offered an amendment.

The bills and amendments were recommitted to the judiciary committee.

Senate concurred in the amendment to the House bill to establish the county site of Jackson county.

Senate bills to preserve order at elections ;

For the relief of Mary A. Lambert, of Clay county,

Were severally read a third time and passed.

A message was received from the House, as follows :

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bill, as amended, to be entitled an act to pay the officers of the General Assembly of Alabama, not provided for by the Revised Code, and has originated and passed a bill to regulate the publication of legal notices.

WM. B. CLOUD, Clerk.

Leave of absence was granted to Mr. Bromberg until Wednesday night.

At 11 o'clock, the special order, the bill for relieving political disabilities, came up ;

Which, on motion of Mr. Pennington, was postponed, and made special order for 11 o'clock to-morrow morning.

Senate concurred in the amendment of the House to the Senate bill,

To pay of the officers of the General Assembly not provided for by the Revised Code.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Barr, explanatory and amendatory of an act to amend the charter of the Wills Valley Railroad Company, and for other purposes, approved July, 1868 ;

By Mr. Pennington, to regulate judicial proceedings in certain cases ;

By Mr. Hays, for the relief of executors and administrators from the payment of interest on legacies and distributive shares of estates ;

By Mr. Stow, authorizing Robert Y. Ware, administrator of James H. Ware, deceased, to cultivate the lands of said estate, and sanctioning his previous cultivation thereof ;

By Mr. Bromberg, to provide for the removal of unworthy and incompetent appointees ;

By Mr. Barr, to amend the ordinance of the Constitutional Convention to stay the collection of debts ;

By Mr. Pennington, to change the time of holding the ensuing fall term of the circuit court in Macon county ;

Which bills were severally read and referred to the judiciary committee.

By Mr. Worthy, to provide for the clerks of the judiciary committee, and the clerk of the Senate committee on militia ;

Which was read three times forthwith and passed.

By Mr. Wise, to authorize the State auditor to furnish tax blanks to the assessors and collectors of the several counties in this State ;

Which was read twice and referred to the committee on taxation ;

By Mr. Wise, for the relief of James H. Collins, of Randolph county ;

Which was read twice and referred to the committee on grievances and disabilities.

By Mr. Martin, to enable the electors of Russell county to cast all their votes in one day, and to re-establish a sufficient number of precincts therein ;

Which was read twice and referred to the committee on privileges and elections.

By Mr. Stow, to abolish the office of commissioner and trustee of the State bank and branches, of the State of Alabama ;

Which was read three times forthwith and passed.

By Mr. Stow, to amend an act incorporating the Montgomery and Pickett Springs Gravel Road Company ;

Which was read twice and referred to the committee on internal improvements.

By Mr. Coon, to incorporate the Alabama Educational Association, for the purpose of contributing means for the education of the poor of all classes of the State of Alabama ;

Which was read twice and referred to the committee on education.

By Mr. King, to remove the county site of Henry county;  
Which was read twice and referred to the committee on municipal and county organizations.

By Mr. Bromberg, to regulate the carriage of passengers by street railroad corporations, located within the limits of municipal corporations in this State,

Which was read twice and referred to the committee on grievances and disabilities.

Mr. Farden, from the committee on internal improvements reported favorably, with amendments, to the bill to amend the corporation laws of Alabama ;

Which amendments were concurred in.

Mr. Pennington introduced a bill to remove the disabilities imposed by the second clause of section 3 of article 7 of the constitution of Alabama ;

Which was read twice.

Mr. Coon moved to refer the bill to the committee on grievances and disabilities.

Mr. Worthy called the previous question, which was sustained.

Mr. Coon's motion was lost.

And the bill was ordered to a third reading on Monday next, and made the special order for 12 o'clock.

Yeas and nays on tabling the minority report, were as follows—yeas 17 ; nays 9.

Those who voted in the affirmative are, Messrs. Barr, Foster, Hays, Hinds, Johnston, King, Lambert, Lentz, Mabry, Mahan, McAfee, Pennington, Sanford, Sevier, Worthy, Wyman and Yordy—17.

Those who voted in the negative are, Messrs. Coon, Farden, Martin, Oliver, Richards, Royal, Sibley, Whitney, and Wise—9.

Senate adjourned till 10 o'clock to-morrow morning.

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## TENTH DAY.

SENATE CHAMBER.      }  
Monday, August 3, 1868.   }

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

Journal of Saturday was read and approved.

House joint resolution for a recess of the General Assembly was taken from the table.

Mr. Whitney moved to amend by inserting the 14th inst.

On motion of Mr. Pennington, the joint resolution was again laid on the table.

CALL OF THE DISTRICTS.

On the call of the districts, the following bills, joint resolutions and petitions were introduced :

By Mr. Lentz, joint resolution to pay for a flag staff and a flag on the capitol building ;

Which was read twice.

On motion of Mr. Pennington, it was amended, as follows :

“Upon presentation of proper vouchers ;”

Which was still further amended, on motion of Mr. Worthy, so that the vouchers shall go to the committee of the Senate on accounts and claims.

As amended, the resolution was read a third time and passed.

Ordered forthwith to the House.

By Mr. Sevier, to remove political disabilities,

Which was read twice and laid on the table.

By Mr. Hinds, to amend section 1338 of the Revised Code ;

By Mr. Farden, to regulate proceedings for the sale of property belonging to insolvent estates ;

By Mr. Farden, a petition of the Planters' Factory, at Autaugaville ;

By Mr. Hays, to authorize the institution of suits in certain cases ;

By Mr. Foster, to declare void all liens of judgments since January 11th, 1861 ;

By Mr. Foster, to regulate application for change of venue in criminal cases ;

By Mr. Hays, to provide for severances in trials of criminal cases ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Whitney, for the relief of N. J. Skelton, of Jackson county ;

By Mr. Sanford, joint resolution providing for the publication of the report of the survey of the Coosa river ;

By Mr. Lambert, to change the time of holding the circuit court in Coosa and Talladega counties ;

By Mr. Pennington, for the relief of Jerry A. Gay, of Lee county ;

By Mr. Yordy, to amend section 2931 of the Revised Code ;

By Mr. Worthy, to incorporate the Citizens' Fire Engine Company No. 1, of Union Springs, Alabama ;



Which bills were severally read three times forthwith and passed.

By Mr. McAfee, to repeal section 69 of the Revised Code;

Which was read three times forthwith and passed, and ordered forthwith to the House.

By Mr. Wise, to make Mary Caroline Falconer a free dealer;

Which was read twice and referred to the committee on grievances and disabilities.

By Mr. Barr, to provide for the pay of the Lieutenant Governor ;

Which was read twice and referred to the committee on fees and salaries, with instructions to report on to-morrow.

On motion of Mr. Worthy, the bill to incorporate the Dexter Fire Engine Company of Montgomery, was taken from the table, read a second and third time and passed.

Mr. Wyman offered the following resolution, which, on motion of Mr. Hays, was laid on the table :

*Resolved*, That after the 3d day of August, no new bills be received by the Senate, until the business now before standing committees, and from the same, has been disposed of ; unless by the unanimous consent of the Senate.

At 11 o'clock the special order came up, it being Mr. Pennington's bill for the removal of disabilities.

Mr. Coon offered an amendment, as sections 2, 3, and 4 ;

Which was accepted.

Mr. Mabry's bill was taken from the table ; also, Mr. Sevier's bill.

Mr. Richards offered a substitute,

Which several propositions were ordered to be printed, 150 copies of each, and the subject made special order for 11 o'clock to-morrow.

Message from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

An act to amend section 4339 of the Revised Code of Alabama ;

An act to authorize and empower Daniel L. McNeill, of Elmore county, to settle with his guardian ;

An act making appropriation to pay contingent expenses of the Senate at the present session ;

An act to fix the time of holding the circuit court in the 7th judicial circuit, State of Alabama ;

An act to authorize sheriffs elect to give the casting vote in certain cases;

An act to establish the county seat for the county of Jackson.

Very respectfully,

D. L. DALTON, private secretary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
August 3, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having concurred in the passage of the following Senate bills and joint resolutions :

A bill to be entitled an act for the relief of Wm. H. Felts, late tax collector for Choctaw county, and the sureties on his official bond ;

A joint resolution requiring the secretary of State to furnish certain probate judges with volumes of the Reports of the Supreme Court of Alabama ;

Also, of its having originated and passed the following House bill :

A bill to be entitled an act to amend the ordinance of the late Constitutional Convention entitled an ordinance to stay collection of debts, so far as concerns process from the courts of Mobile county.

WM. B. CLOUD, Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 3, 1868. }

*Mr. President :*

I am directed by the House to return the following Senate bills for proper clerical authentication :

To require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties ;

To authorize the Governor to fill vacancies in the supreme and chancery courts ;

For the relief of Hugh Montgomery of Cleburne county.

Also, House joint resolution authorizing the Governor to appoint three lawyers, whose duty it shall be to examine the Revised Code of Alabama.

W. B. CLOUD, clerk of House.

HOUSE OF REPRESENTATIVES, }  
 Saturday, August 3, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

A bill to increase the jurisdiction of justices of the peace in the county of Marion.

A bill to be entitled an act to extend the jurisdiction of the justices of the peace in Hale county.

To be entitled an act to re-organize and establish the municipal government of the city of Montgomery.

W. B. CLOUD, Clerk.

REPORT OF STANDING COMMITTEES.

Mr. Whitrey submitted the following report :

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

An act to relieve Lawson C. Coulson, late probate judge of Jackson county, and his securities ;

An act to alter and amend an act to establish a system of internal improvements in the State of Alabama ;

An act to extend the time for the collection of taxes for the year 1867 ;

An act to amend the Revised Code of Alabama ;

An act to declare Belinda Caroline Brewington a lawful heir ;

An act to amend subdivision 6, section 434 of the Revised Code of Alabama ;

An act to prevent the carrying of hostile deadly weapons, known as rifle walking canes, or gun-shot canes ;

An act to repeal an act entitled an act authorizing the appointment of general administrator and general guardian for Mobile county, and for other purposes ;

An act for the relief of Mrs. S. A. Lambert, of Monroe county ;

An act for the relief of Russell L. Griffin, of Lee county ;

An act to repeal an act entitled an act to establish the city court of Huntsville ;

An act to confirm the election of judge and clerk of the city court of Selma, in the county of Dallas ;

An act to amend section 1186 of the Revised Code of Alabama ;

An act further to amend an act to incorporate the South

and North Alabama Railroad Company, approved February 17, 1854 ;

An act to authorize Mary A. Norred, of Cleburne county, widow of J. Bird Norred, to sell certain lands ;

An act to extend the corporate limits of the town of Talladega ;

An act to fix the time of holding court in the 2d judicial circuit.

CHARLES O. WHITNEY, Chairman.

Mr. McAfee, from the committee on the judiciary, reported favorably to the bill to amend an ordinance of the late constitutional convention, entitled "An ordinance to stay the collection of debts ;"

Which bill was read a third time and passed—yeas 23, nays 2.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Coon, Farden, Hays, Hinds, King, Lambert, Lentz, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sevier, Sibley, Whitney, Worthy, Wyman and Yordy—23.

Those who voted in the negative are, Messrs. Foster and Sanford—2.

Also, reported favorably, with amendments, to the bill,

To establish chancery divisions and districts therein ;

The first amendment was adopted ;

On motion of Mr. Foster, the second amendment was amended ;

As amended, the bill was read a third time and passed, and ordered forthwith to the House.

Also, reported adversely to bills :

To provide for the removal of unworthy and incompetent appointees ;

Authorizing Robert Y. Ware, administrator of James H. Ware, deceased, to cultivate the lands of said estate, &c. ;

For the punishment of incendiary publications ;

To secure the punishment of disturbers of the public peace ;

To repeal sections 28 and 29 of the Revised Code ;

To authorize the incorporation of life insurance and mutual aid associations ;

Joint resolutions proposing amendments to the constitution of Alabama ;

Which reports were severally concurred in.

Also, reported favorably to the bills :

For the relief of Jane Johnson ;

To regulate judicial proceedings in certain cases ;  
Which bills were severally read a third time and passed.

Also, reported favorably to the bills :

Explanatory and amendatory of an act to amend the charter of the Wills Valley railroad company, approved, July —, 1868 ;

Which report was concurred in,

And the bill recommitted to the committee on internal improvements.

Also, reported favorably to the House substitute for Senate bills—

To continue certain persons in office, &c.;

Mr. Farden offered an amendment,

Which was adopted ;

Mr. Coon offered an amendment ;

Bill and amendment were recommitted to the judiciary committee.

Also, reported a substitute for the bill to amend section 3616 of the Revised Code ;

Which substitute was adopted,

And the bill ordered to be engrossed for a third reading.

Also, reported favorably to the House bill to declare Sophronia Irving Riley, a free-dealer ;

Which bill was ordered to a third reading.

Mr. Coon introduced a bill to provide for the final settlement of the affairs of the Bank of Selma, &c. ;

Which was read twice and referred to the judiciary committee.

Leave of absence was granted to Mr. Hinds for the balance of the session.

Mr. Sanford, from the committee on municipal and county organizations, reported adversely to the bill to re-establish the county of Colbert ;

Which report was concurred in.

Also, reported favorably to the bill to compel the late officers of Colbert county to deliver over to the duly qualified officers of Franklin county, certain books, papers, &c.;

Mr. Sibley offered an amendment ;

Which was adopted ;

And the bill was read a third time and passed.

Mr. Sibley took an appeal from the decision of the chair, which had decided that a motion to lay on the table is not debatable, and the chair was sustained.

Mr. Samford, from the same committee, reported favorably to the House bill to authorize the court of county commis-

sioners of Clay county, to divide said county into election precincts;

Which bill was read a third time and passed.

Mr. Pennington, from the committee on printing, reported favorably to the House joint resolution to appoint a committee to compare the printed constitution with the original papers of the constitutional convention;

Which joint resolution was read a third time forthwith and passed.

Senate adjourned till 10 o'clock to-morrow morning.

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## ELEVENTH DAY.

TUESDAY, August 4, 1868.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Miller.

Journal of yesterday read and approved.

Senate refused to take from the table the joint resolution to provide for a recess of the General Assembly.

### REPORTS OF STANDING COMMITTEES.

Mr. Yordy, from the committee on taxation, reported adversely to the bill to authorize the Auditor of the State of Alabama to furnish each county in the State with such books and tax assessment lists as shall be needful for the use of each tax assessor and collector in each county in the State,

Which report was concurred in.

Mr. Barr, from the committee on fees and salaries, reported favorably to the bill to provide pay for the Lieutenant Governor of the State of Alabama;

Mr. Foster moved to strike out \$2,000 and insert \$1,000;

Mr. Whitney moved to strike out \$2,000 and insert \$1,500;

Mr. Hays moved to strike out \$2,000 and insert \$500;

\$2,000 was finally stricken out and \$1,500 inserted;

The bill was read a third time and passed—yeas 16, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Coon, Farden, Hinds, Lentz, Mahan, Martin, Pennington, Richards, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—16.

Those who voted in the negative are, Messrs. Foster, Hays,

Johnston, King, Lambert, Mabry, McAfee, Oliver, Sanford and Wyman—10.

Mr. McAfee, from the judiciary committee, reported favorably, with amendments, to the House substitute for two Senate bills, to provide for the qualification and appointment of officers, state, county and municipal ;

The first amendment was adopted ;

On motion of Mr. Foster, the second amendment was amended, by adding—

“Except as otherwise provided by law,” after the words “State and county officers,” in the 3d section ;

Mr. Mabry moved to amend the second amendment (section 5) ;

On motion of Mr. Sibley, the last amendment of the committee and all other amendments were tabled.

Mr. Coon called the previous question,

Which was sustained ;

The bill was read a third time and passed.

The special order then came up, it being the bill to remove disabilities ;

Mr. Pennington’s bill was read ;

Mr. Richards moved his substitute ;

Which was read ;

Mr. Mabry’s bill was also read ;

On motion of Mr. Oliver, Mr. Richards’ substitute was laid on the table ;

Mr. Foster moved the substitute of Mr. Mabry ;

Mr. Foster moved to lay Mr. Foster’s motion on the table ;

Which motion was lost—yeas 13, nays 14.

Those who voted in the affirmative are, Messrs. Buckley, Coon, Farden, Hinds, Lambert, Lentz, Martin, Oliver, Richards, Royal, Sanford, Sibley and Whitney—13.

Those who voted in the negative are, Messrs. Barr, Foster, Hays, Johnston, King, Mabry, Mahan, McAfee, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—14.

Mr. Mabry’s substitute was not adopted.

Mr. Foster moved to strike out section 3 of the original bill ;

Mr. Pennington moved to strike out all after the first section.

Mr. Coon called the previous question ;

Which motion was lost—yeas 12 ; nays 15.

Those who voted in the affirmative are, Messrs. Coon, Farden, Hinds, Lambert, Lentz, Martin, Oliver, Richards, Royal, Sanford, Sibley and Whitney—12.

Those who voted in the negative are, Messrs. Barr, Buckley, Foster, Hays, Johnston, King, Mabry, Mahan, McAfee, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—15.

Mr. Whitney moved to adjourn ;

Which motion was lost.

Mr. Pennington's motion to strike out section 1st was carried—yeas 15, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Hays, Johnston, King, Mabry, Mahan, McAfee, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—15.

Those who voted in the negative are, Messrs. Coon, Farden, Hinds, Lambert, Lentz, Martin, Oliver, Richards, Royal, Sanford, Sibley and Whitney—12.

Mr. Pennington moved to suspend the constitutional rule, and let the bill be read a third time and pass.

Mr. Coon moved to lay said motion on the table ;

Which motion was lost—yeas 13 ; nays 14.

Those who voted in the affirmative are, Messrs. Buckley, Coon, Farden, Hinds, Lambert, Lentz, Martin, Oliver, Richards, Royal, Sanford, Sibley and Whitney—13.

Those who voted in the negative are, Messrs. Barr, Foster, Hays, Johnston, King, Mabry, Mahan, McAfee, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—14.

And Mr. Pennington's motion was lost—yeas 15, nays 12, not four-fifths voting to suspend the rule.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Hays, Johnston, King, Mabry, Mahan, McAfee, Pennington, Sevier, Wise, Worthy, Wyman and Yordy—15.

Those who voted in the negative are, Messrs. Coon, Farden, Hinds, Lambert, Lentz, Martin, Oliver, Richards, Royal, Sanford, Sibley and Whitney—12.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
August 4, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the Senate joint resolution in relation to flag and flag-staff.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 4, 1868. }

*Mr. President :*

I am directed by the House of Representatives to inform



the Senate that the House has originated and passed the following bills, viz. :

To amend the ordinance of the late constitutional convention, entitled an ordinance to stay the collection of debts ;

To amend the charter of Pintlala Bridge ;

For the relief of certain judgment defendants ;

For the relief of J. V. Trammell ;

To authorize the county treasurer of Hale county to pay a salary to the solicitor of said county ;

For the relief of certain persons therein named ;

For the relief of the tax assessor of Conecuh county ;

To secure the collection of fees and costs ;

To regulate the terms of the fourth and fifth judicial circuit ;

To regulate the punishment of female convicts ;

To amend section 3016 of the Revised Code of Alabama ;

For the relief of C. C. Rose, of the county of Randolph ;

To authorize the commissioners court of Lawrence county to issue certificates or receipts ;

For the relief of Mattie A. Blanchard, of the county of Lauderdale ;

To empower the Governor to appoint notaries public ;

For the relief of Rice E. Harris, of Limestone county ;

For the relief of Sarah A. Cochran, of the county of Chambers ;

To establish laws for the State ;

To regulate judicial proceedings ;

To prevent damages to land owners in Washington county by overflow of water ;

To repeal an act therein named ;

To amend section 1998 of the Revised Code of Alabama ;

To remove the administration of the estate of J. M. McClure ;

To relieve certain citizens of Dallas, Perry and Marengo counties ;

To prevent the fraudulent disposal of mortgaged property ;

To authorize the city council of Montgomery to establish a work-house, &c. ;

To lay off the county of Coosa into four commissioners districts.

Very respectfully,

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, {  
August 4, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

For the relief of the members of the late constitutional convention ;

To authorize the issuance of certificates ;

To amend section 1750 of the Code of Alabama, so as to extend the provisions thereof to life insurance and mutual aid companies.

I am directed by the House to inform the Senate of its having concurred in the passage of the following Senate bill :

To amend the charter of the Eureka Mining Company of Alabama.

And report adversely upon Senate bill to change the county line between Clay and Talladega counties.

That it has originated and passed a bill to authorize the employment of servants for the capitol and State offices.

Respectfully,

WM. B. CLOUD, Clerk.

On motion of Mr. Sanford, the Senate then adjourned till 10 o'clock to-morrow.

## TWELFTH DAY.

WEDNESDAY, Aug, 5, 1868.

Senate met pursuant to adjournment.

Journal of yesterday was read and approved.

Prayer by the chaplain.

Mr. Foster introduced a joint resolution providing for adjournment *sine die* on Tuesday next ;

Which was read twice.

Mr. Coon moved to amend by changing Tuesday next to Saturday, the 8th inst. ;

Which amendment was adopted.

On motion of Mr. Pennington, the joint resolution was laid on the table.

Mr. Worthy introduced a bill to authorize the court of county commissioners of Pike county to levy a tax not exceeding 100 per cent. on the State tax for county purposes ;

Which bill was read three times forthwith and passed, and ordered forthwith to the House.

Mr. Foster introduced a bill to amend the law in relation to private corporations ;

Which was read twice and referred to the committee on the judiciary.

Mr. Farden introduced a bill to amend section 1417 of the Revised Code ;

Which was read three times forthwith and passed.

Mr. Hays introduced a bill to authorize the erection of a poor house in Greene county ;

Which was read three times forthwith and passed, and ordered forthwith to the House.

Also, a bill for the better maintenance of the poor of this State ;

Which bill was read twice and referred to the committee on poor laws and charitable institutions.

Mr. Barr, from the committee on fees and salaries, reported favorably to the House bill to regulate the publication of legal notices.

Mr. Barr called the previous question,

Which was sustained ;

And the constitutional rule was suspended.

Mr. Barr called the previous question on the passage of the bill ;

Which was sustained, and the bill was read a third time and passed.

Mr. Coon appealed from the decision of the chair (Mr. Foster in the chair.) which had decided that when the call for the previous question is sustained, the bill goes over for a third reading on the next day,

Which resulted as follows :

Those who voted to sustain the chair are, Messrs. Foster, Hays, Johnston, Jones, Mabry, Mahan, McAfee, Sevier, and Worthy—9.

Those who voted against sustaining the chair are, Messrs. Barr, Buckley, Coon, Farden, King, Lambert, Lentz, Martin, Morton, Oliver, Richards, Royal, Sanford, Sibley, Whitney, Wise, Wynan and Yordy—18.

On the passage of the bill, the vote was, yeas 13, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Coon, Farden, Lambert, Lentz, Martin, Morton, Oliver, Richards, Royal, Sibley, Whitney and Wise—13.

Those who voted in the negative are, Messrs. Hays, Johnston, Jones, King, Mabry, Mahan, McAfee, Sanford, Sevier, Worthy, Wynan, and Yordy—12.

Orders of the day came up at 12 o'clock.

The special order came up first, it being the original bill of Mr. Pennington to remove certain disabilities.

Mr. Worthy offered a substitute,

Which was adopted, and the bill read a third time and passed—yeas 27, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Buck-

ley, Coon, Farden, Foster, Hays, Johnston, Jones, King, Lambert, Lentz, Mabry, Mahan, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, Wyman and Yordy—27.

Those who voted in the negative are, Mr. Oliver—1.

Message from the Governor as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

An act to extend the corporate limits of Talladega, in Talladega county,  $1\frac{1}{4}$  miles from the court house of said town ;

An act to authorize Mary A. Norred, of Cleburne county, widow of P. Bird Norred, to sell certain lands ;

An act to repeal an act entitled an act authorizing the appointment of general administrator and general guardian for Mobile county, and for other purposes ;

To amend an act to incorporate the South and North Alabama railroad company, approved February 17, 1854 ;

To amend subdivision 6 of section 434 of the Revised Code ;

To prevent the carrying of hostile or deadly weapons known as "rifle walking canes," or gun shot canes ;

To extend the time for the collection of the taxes for 1867 ;

An act to amend the Revised Code of Alabama ;

To amend section 1186 of the Revised Code ;

An act to repeal an act entitled an act to establish the city court of Huntsville ;

An act for the relief of Russell L. Griffin, of Lee county ;

An act for the relief of Lawson C. Coulson, late probate judge of Jackson county, and his sureties ;

To declare Belinda Caroline Brewington a lawful heir ;

An act for the relief of Sarah A. Lambert, of Monroe county ;

An act to fix the time of holding court in the second judicial circuit.

Mr. Whitney submitted the following report :

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

A joint resolution to pay for a flag-staff and flag on the Capitol building ;

An act for the relief of Wm. Felts, late tax collector for the county of Choctaw, and the sureties on his official bond ;

An act for the relief of the estate of Daniel Hanby, deceased, late of Jefferson county, State of Alabama ;

An act to amend the city charter of Demopolis, Alabama.  
CHARLES O. WHITNEY, chairman.

HOUSE OF REPRESENTATIVES, }  
Aug. 5, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that the House has originated and passed bills of the following titles :

To amend an act entitled an act to lay off and divide the State of Alabama into twelve judicial circuits, and fix the time of holding courts therein ;

To incorporate the Grey Eagle Fire Company No. 3, of the city of Montgomery ;

To provide for the appointment and qualification of State and county officers ;

To enable the probate judge of Washington county to remove certain books, papers, &c., to some place within five miles of the centre of said county ;

To make Martha Jane Hall a free dealer ;

Also, a joint resolution for appointing certain members to examine the Code, &c ;

To be entitled an act to authorize the court of county commissioners of Marion county to levy an addition tax ;

To make Mrs. Elizabeth Ann Read a free dealer ;

Bill providing for a temporary loan ;

Also, a bill for the relief of Susan Ann Tooley, of the county of Montgomery ;

And of its having reconsidered the vote allowing a bridge built across Pintlala creek, and respectfully ask that it be returned to the House.

WM. B. CLOUD, Clerk of House.

Senate then adjourned till 10 o'clock to-morrow morning.

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### THIRTEENTH DAY.

THURSDAY, August 6, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. John Silsby, of Selma.

Journal of yesterday was read and approved.

Call of the districts was suspended, in order to take up the

## ORDERS OF THE DAY.

House bills for the relief of Mrs. Elizabeth Ann Read of Lee county ;

Making appropriation to pay for printing during the present session ;

To amend section 1755 of the Revised Code of Alabama, so as to extend the provisions to life insurance and mutual aid associations ;

To make Martha Jane Hill a free dealer ;

To authorize the county treasurer of Hale county to pay a salary to the county solicitor ;

Which bills were severally read three times forthwith, and passed.

House bill to provide for a temporary loan ;

Was read three times forthwith, and passed—yeas 23 ; nays 1.

Those who voted in the affirmative are, Messrs, Barr, Bromberg, Buckley, Coon, Farden, Foster, Hays, Johnston, King, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, Wyman, and Yordy—25.

Mr. McAfee voted in the negative—1.

House joint resolution to continue the board of immigration,

Was read twice and referred to the committee on industrial resources.

House bill to authorize the issuance of certificates ;

Was read three times forthwith and passed—yeas 25 ; nays 2.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Coon, Farden, Foster, Hays, Johnston, Jones, King, Lentz, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—25.

Those who voted in the negative are, Messrs. McAfee and Worthy—2.

House bill for the relief of Susan Ann Tooley, of Montgomery,

Was read twice.

It was amended, on motion of Mr. Foster, by adding Norris Gardiner, of Choctaw county.

As amended, it was read a third time and passed.

House bills to extend the jurisdiction of justices of the peace in Hale county ;

To increase the jurisdiction of justices of the peace in Marion county ;

Were severally read twice and referred to the Judiciary Committee.

House bill to relieve certain citizens of Chambers county ;  
Was read and laid on the table.

House bills for the relief of C. C. Rose, of the county of Randolph ;

For the relief of Mattie A. Blanchard, of the county of Lauderdale,

Were severally read twice, and laid on the table.

House bill to reorganize and establish the municipal government of the city of Montgomery,

Was read and laid on the table.

House bill to authorize the court of county commissioners of Monroe county to levy additional tax ;

Was read and indefinitely postponed.

Senate concurred in the House amendment to the Senate bill to amend the charter of the Eureka Mining Company of Alabama.

House bill for the relief of Sarah A. Cochran, of Chambers county ;

Was read twice and indefinitely postponed.

House bill for the relief of Rice E. Harris, of Limestone county ;

Was read three three times forthwith and passed—yeas 14 ; nays 11.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Johnston, King, Lentz, Martin, Morton, Pennington, Royal, Sibley, Whitney and Wise—14.

Those who voted in the negative are, Messrs. Buckley, Jones, Mabry, Mahan, McAfee, Richards, Sanford, Sevier, Worthy, Wyman and Yordy—11

House bill making appropriation to pay the contingent expenses of the House of Representatives at the present session ;

Was read twice and referred to the committee on fees and salaries.

Message was received from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed a bill which originated in the Senate, to be entitled as follows, viz :

An act to consolidate and make joint stock of the Mobile and Great Northern Railroad Company and the Alabama and Florida Railroad Company of Alabama, and to change the name of said companies to the Mobile and Montgomery Railroad Company ;

And also, a joint resolution to pay for a flag-staff and flag for the capitol building.

Very respectfully, your obd't serv't,

D. L. DALTON, Secretary.

Messages were received from the House, as follows :

HALL OF HOUSE OF REPRESENTATIVES, }  
Aug. 6, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To authorize the commissioners court of Franklin county to levy an additional tax ;

For the relief of the administrators of the estate of George Simpson, deceased ;

Also, a bill to inflict penalties upon common carriers and their agents, for violation of law, in making unjust and illegal distinctions.

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
August 6, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bills of the following titles :

To repeal section 69, Revised Code of Alabama ;

To incorporate the Citizen's Fire Engine Company No. 1, of Union Springs, Ala. ;

To amend section 2931 of the Revised Code of Alabama ;

To remove the county seat of Autauga county ;

To incorporate the Dexter Fire Engine Company of Montgomery ;

To abolish the office of commissioner and trustee of the State bank and branches ;

A bill to be entitled an act for the relief of Mrs. Sarah A. Lambert, of Monroe county ;

To change the time of holding the circuit court in the 8th judicial circuit ;

To change the time of holding the circuit court in the counties of Coosa and Talladega ;

To refund certain taxes to the citizens of Marengo county ;

Conferring the jurisdiction of contracts for labor upon judges of probate ;

Joint resolution relative to certain papers and books of public interest ;



Joint resolution providing for the publication of the report of the survey of the Coosa river.

WM. B. CLOUD, Clerk House Reps.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Aug. 6, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

Bill making appropriations to pay contingent expenses of the House of Representatives at the present session ;

To authorize the admission of parol evidence in certain cases ;

For an appropriation to pay printing expenses.

WM. B. CLOUD, Clerk of House.

Mr. Pennington introduced a joint resolution providing for the appointment of a joint committee of one of each House to attend to the printing of the laws and journals at the present session ;

Which was adopted,

And ordered forthwith to the House.

Mr. McAfee introduced a bill to incorporate the town of Munford ;

Which was read three times forthwith, and passed.

Mr. Oliver presented certain letters from North Alabama, which was read by the Secretary from his desk.

Mr. Sibley called up his bill to regulate elections ;

Mr. Bromberg offered a substitute ;

Which was accepted.

On motion of Mr. Hays, the bill was made the special order for 11 o'clock to-morrow morning.

Leave of absence was granted to Mr. Lentz, for the balance of the session.

Mr. Oliver offered the following resolution ;

Which was adopted :

*Resolved*, That the newspapers of the city of Montgomery be requested to publish two certain letters read at the clerk's desk this day, on motion of Senator Oliver, in relation to disturbances in the county of Morgan.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bill for the relief of Susan Henrietta Bradley ;

Which bill was read a third time and passed.

Mr. Pennington was appointed the committee on the part of the Senate to attend to the printing of the laws and journals of the present session.

Senate then adjourned till 10 o'clock to-morrow morning.

## FOURTEENTH DAY.

SENATE CHAMBER, }  
 Friday, Aug. 7, 1868. }

Senate met pursuant to adjournment.

On a call of the roll a quorum was not present, when a recess, on motion of Mr. Whitney, was taken for a half hour.

After the recess, the Senate was called to order by Mr. President.

Prayer by the Rev. Mr. McCutchen, chaplain.

Journal of yesterday was read and approved.

Call of the districts was suspended.

## REPORTS OF STANDING COMMITTEES.

Mr. Jones, from the committee on county and municipal organizations, reported favorably to the bill to attach a portion of Fayette county to the county of Marion ;

Which bill was read a third time and passed—yes 27, nays none.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Coon, Farden, Foster, Hays, Johnston, Jones, King, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, Wyman and Yordy—27.

Bill was ordered forthwith to the House.

Also, reported favorably, with amendments, to the bill to repeal an ordinance to abolish the new county of Baine ;

Which amendments were adopted, and the bill read a third time and passed.

Mr. Morton, from the joint select committee on the penitentiary, submitted a report ;

Which, on motion of Mr. Pennington, was referred to a select committee, and 150 copies ordered to be printed. Messrs. Coon, Sibley and Pennington, were appointed said committee.

Mr. Whitney introduced a bill to authorize William W. Byrd and others, to do certain things ;

Which was read twice, and referred to the committee on grievances and disabilities.

Mr. Barr, from the committee on fees and salaries, reported favorably to the House bill making appropriation to pay the contingent expenses of the House of Representatives at the present session ;

Which bill was read a third time and passed.

Mr. Hays offered a resolution that the board of education report to the General Assembly what they have done ;

Which was adopted and ordered forthwith to the House.

Mr. Lambert, from the committee on agriculture and manufactures, reported favorably to the bill to authorize the Autauga agricultural society to sell certain property ;

Which was read a third time and passed.

Leave of absence was granted to Messrs. Lambert and Wyman for the balance of the session.

Special order came up, which was the substitute of Mr. Bromberg, to repeal section 217 of the Revised Code, providing that the General Assembly elect the Presidential electors ;

Which was read the third time and passed—yeas 14, nays 13, and ordered forthwith to the House.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Coon, Farden, King, Lambert, McAfee, Martin, Morton, Royal, Sibley, Whitney and Yordy—14.

Those who voted in the negative are, Messrs. Barr, Hays, Jones, Mabry, Mahan, Oliver, Pennington, Richards, Sanford, Sevier, Wise, Worthy and Wyman—13.

A message was received from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills to be entitled as follows :

An act to provide for the qualification and appointment of state, county and municipal officers ;

An act to amend the charter of the Eureka mining company of Alabama ;

An act to alter and amend “An act to establish a system of internal improvements in the State of Alabama ;

An act for the relief of William H. Felts, late tax collector of Choctaw county, and the sureties on his official bond ;

An act for the relief of the estate of David Hanby, deceased, late of Jefferson county ;

An act to amend an act entitled “An act to extend the period for the grading of the Tennessee and Alabama central railroad from Decatur to a point a few miles east of Monticello, approved October 7, 1864,” by allowing a further extension of the period for such grading.

Very respectfully,

Your obedient servant,

D. L. DALTON, Private Secretary.

Mr. Coon introduced a bill for the protection of married women and minors ;

Which were read twice and referred to the judiciary committee.

Mr. Richards, from the committee on education, reported adversely to the bill to incorporate the Alabama educational association, &c. ;

Which report was concurred in ;

Also reported a joint resolution rescinding the resolution suspending the school fund ;

Which was read three times and passed.

House bill for the relief of the executor of the estate of Caroline Alston ;

Was read twice, and amended on motion of Mr. Foster, and passed.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill with the following title, to-wit :

A bill to be entitled an act to permit C. A. C. Waller, a non-resident, to administer upon the estate of his father and brothers, deceased.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

1st. To be entitled an act for the relief of J. E. and Mary W. Caldwell, of Dallas county ;

2d. To be entitled an act for the relief of the maimed in this State ;

3d. To be entitled an act to authorize a new trial in a certain case therein named.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed Senate bill with the following title :

A bill to be entitled an act for the removal of disabilities.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to transmit the following memorial and joint resolutions to the Congress of the United States, which have been adopted by the House.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate, that it has originated and passed bills of the following titles :

A bill to be entitled an act for the relief of the executor of the estate of Caroline Alston ;

A bill to be entitled an act to authorize the Governor to commission tax collectors and assessors ;

A bill to be entitled an act to authorize A. L. Holman to establish a ferry across the Perdido river, in the county of Baldwin.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles, to-wit :

A bill to be entitled an act to pay the members of the board of education, and other purposes ;

Also, a bill to be entitled an act to authorize David Lewis Whetstone to settle with his guardian.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title :

A bill to be entitled an act to regulate and fix the time of holding the city court of Montgomery.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title, to-wit:

A bill to be entitled an act to authorize the auditor of the State of Alabama to furnish each county in the State with such books and assessment lists as shall be necessary for the use of each tax assessor and collector in each county in the State.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has adopted the following Senate joint resolutions :

To authorize the president of the Senate and speaker of the House to appoint a committee of two to receive bids for printing the acts and journals of the present session ;

Also, to request the board of education to lay before the legislature an official statement of their proceedings.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Mr. Barr, from the committee on internal resources, reported favorably, with amendments, to the House bill to continue the board of immigration ;

Which amendments were adopted, and the bill read a third time and passed.

Mr. Barr called up the substitute of the committee for the bill in relation to the board of immigration ;

Which substitute was laid on the table ;

Mr. Pennington offered a substitute for the original bill ;

Which was not adopted, as it required two-thirds to repeal an ordinance of the constitutional convention—yeas 15, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Hays, Jones, King, Mabry, Mahan, Morton, Oliver, Pennington, Richards, Royal, Sevier, Worthy and Yordy—15.

Those who voted in the negative are, Messrs. Buckley, Coon, Farden, Foster, Lambert, Martin, Sanford, Sibley, Whitney and Wyman—10.

Mr. Pennington moved to adjourn till 4 o'clock p. m.

Mr. Farden moved to adjourn till 10 o'clock to-morrow morning ;

Which motion was lost, and Mr. Pennington's motion was carried.

Senate adjourned till 4 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. Worthy presented a preamble and resolution, relating to the alleged outrageous conduct of Lieut. E. T. Ryan, at Tuscaloosa, (as also, a printed extract from the Tuscaloosa Monitor) ;

Which were read and adopted.

House messages were taken up—

House bill to pay the members of the board of education, Was read a first time ;

Mr. Hays moved to lay the bill on the table ;

Which motion was lost,

And the bill was read a second and third times and passed.

House bill to amend "An ordinance to stay the collection of debts," so far as relates to process of courts in this State ;

Was read and laid on the table.

On motion of Mr. Barr, the bill in relation to the board of immigration, was read a third time and passed ;

Also, the bill in relation to the bureau of industrial resources, was amended and passed.

Before its final passage, on motion of Mr. Foster, \$3,000 as the salary of the commissioner, was stricken out and \$2,500 inserted—yeas 16, nays 9.

Those who voted in the affirmative are, Messrs. Foster, Hays, Jones, King, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Richards, Sanford, Sevier, Worthly, Wyman and Yordy—16.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Coon, Farden, Royal, Sibley, Whitney and Wise—9.

House bill to inflict penalties upon common carriers and their agents for violations of law, in making unjust and illegal distinctions;

Was read twice;

Mr. Coon offered an amendment;

Mr. Pennington offered a substitute;

On motion of Mr. Jones, the bill and amendments were made special order for 11 o'clock to-morrow morning.

House bills—

To authorize David Lewis Whetstone to settle with his guardian;

To permit C. A. C. Waller, a non-resident, to administer upon the estate of his father and brothers, deceased;

Were read three times forthwith and passed.

House joint memorial to Congress, with joint resolutions;

Were read and referred to the committee on internal improvements.

House bill for the relief of the members of the constitutional convention;

Was read twice, and referred to the committee on fees and salaries.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported favorably to the bill for the final settlement of the affairs of the Bank of Selma, and to provide for the release of the State of Alabama from any responsibility for its circulation;

Which bill was read a third time and passed, and ordered forthwith to the House;

Also, reported favorably to the bill to amend the law in relation to private corporations;

Which bill was read a third time and passed.

Mr. Oliver, from the committee on grievances and disabilities, reported a minority report favorable to the bill for the re-



lief of William W. Boyd and others, to do certain things;  
Which bill was laid on the table.  
The Senate adjourned till 10 o'clock to-morrow morning.

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## FIFTEENTH DAY.

SATURDAY, August 8, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read, corrected and approved.

Under leave, Mr. Pennington, of Lee, entered his protest against the bill to have the Presidential electors appointed by the legislature :

### PROTEST OF MR. PENNINGTON, OF LEE.

By consent, Mr. Pennington was permitted to enter the following protest against the passage of a bill to be entitled an act to repeal section 217 of the Revised Code, and for other purposes, upon the journals.

*Mr. President :* I enter this my solemn protest against the passage of the bill referred to, because it deprives the people of the source of all power under our Republican system of government, of the right to choose at the ballot box electors for President and Vice-President.

I protest against it because such unwarranted assumption of power on the part of the General Assembly, is without precedent in Alabama, and in this country, if we except South Carolina, a State never professed until lately, to have a Republican form of government ; and because it is at war with the great principles upon which the Republican party is based, and contrary to the very genius of our American system. I protest, because the members of this General Assembly were not elected with the view of the exercise of any such extraordinary powers, and because the passage of the bill stifles the voice of every man in the State who does not belong to the dominant party.

Respectfully submitted.

J. L. PENNINGTON.

For the reasons set forth above, by the senator from Lee,

Col. J. L. Pennington, we hereby record also, our most solemn and earnest protest.

R. N. BARR,  
B. JOHNSTON,  
F. D. WYMAN.

Bill to repeal the ordinance to abolish the county of Baine ;  
Was read a third time and passed—yeas 21, nays 4.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Hays, Johnston, Jones, King, Mabry, Mahan, McAfee, Martin, Pennington, Richards, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, and Yordy—21.

Those who voted in the negative are, Messrs. Coon, Morton, Oliver and Royal—4.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Sevier, to compel the authorities of Colbert county to transfer official papers, &c., to the authorities of Franklin county ;

Which bill was read twice forthwith.

Mr. Sibley offered an amendment,

Which was lost.

And the bill was read a third time, passed and ordered to the House.

By Mr. Sibley, for the relief of Mary C. Foster, of Choctaw county, Martha Blakeney, of Fayette county, and Maria S. Jones, of Marengo county ;

Which was read three times forthwith and passed.

By Mr. Whitney, for the protection of the citizens of Alabama in their rights ;

Which was read twice.

Mr. Mabry moved to strike out "State penitentiary."

Mr. Whitney moved to lay said motion on the table ;

Which motion was lost.

Mr. Worthy moved to except his senatorial district from the provisions of the bill ;

Mr. Pennington moved to except the counties of Lee and Chambers ;

Bill was referred to the judiciary committee.

By Mr. Whitney, to amend the charter of the Mechanics Hook and Ladder Company of Montgomery ;

Which was read twice forthwith.

Mr. Farden moved to strike out "six," and insert "seven" ;  
Which motion was lost ;  
And the bill was read a third time and passed.

By Mr. Sanford, to amend section 2348 of the Revised Code ;

By Mr. McAfee, to suspend the act to change the time of holding the circuit court in Coosa and Talladega counties ;

By Mr. Wise, to authorize John Costen, late tax collector of Randolph county, to make settlement with the commissioners court ;

By Mr. Farden, to authorize the courts of county commissioners of Elmore and Autauga counties to levy a tax of 100 per cent. upon the State tax, for county purposes ;

Which bills were severally read three times and passed.

By Mr. Jones, for the relief of James Hill, Jr., as the administrator *de bonis non* of the estate of Robert Hill, deceased ;

By Mr. Jones, to prevent Ku Klux bills ;

Which bills were severally read and laid on the table.

By Mr. Foster, to provide for the appointment of members of the board of education ;

Which bill was read twice and referred to the committee on privileges and elections.

On motion of Mr. Pennington, the House "common carrier" bill was referred to the judiciary committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
August 8, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed Senate bill of the following title :

An act to authorize the court of county commissioners of Pike county, to levy a tax of 100 per cent. on the State tax, for county purposes.

W. B. CLOUD, Clerk of House.

#### REPORTS OF STANDING COMMITTEES.

Mr. Whitney submitted the following report :

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

An act to amend the Eureka Mining Company ;

An act to repeal section 69 of the Revised Code of Alabama, requiring the Governor to reside at the Capitol ;

A joint resolution providing for the publication of the report of the survey of the Coosa river ;

An act for the relief of Mary A. Lambert, of Clay county ;

An act to refund certain taxes to the citizens of Marengo county ;

A joint resolution relative to certain papers and books of public interest ;

An act to incorporate the Dexter Fire Engine Company No. 1, of the city of Montgomery, and for other purposes ;

An act to change the time of holding the circuit court in the 8th judicial circuit, and to amend section 750 of the Revised Code of the State of Alabama ;

An act to incorporate the Citizens Fire Engine Company No. 1, of Union Springs, Alabama ;

An act to permanently locate the county seat of the county of Autauga, and State of Alabama ;

For the removal of disabilities ;

An act to change the time of holding the circuit court in the counties of Coosa and Talladega.

Mr. McAfee, from the judiciary committee, reported favorably to bills :

Supplementary to an act fixing the time of the meeting of the General Assembly, approved July 25, 1868 ;

For the relief of executors and administrators from the payment of interest on legacies and distributive shares of estates ;

To authorize the institution of suits in certain cases,

Which bills were severally read a third time and passed.

Also, reported favorably to the House bill :

To increase the jurisdiction of justices of the peace in Marion county ;

Which bill was laid on the table ;

Also, reported favorably to the House bill—

For the relief of John W. Campbell, of Marengo county ;

Which was also laid on the table ;

Also, reported adversely to the petition of the Planters' Factory at Autaugaville ;

Which report was concurred in ;

Also, reported favorably to House bills—

To regulate sales of property under legal process in this State ;

To increase jurisdiction of justices of the peace in Hale county ;

Which bills were severally ordered to a third reading on Monday next.

Mr. Foster, from the committee on accounts and claims, reported a bill—

Making additional appropriation to pay contingent expenses of the Senate ;

Which bill was read three times forthwith and passed.

Mr. Oliver, from the committee on grievances and disabilities, reported adversely to the bill

For the relief of James H. Collins, of Randolph county ;

Which report was concurred in.

Also, reported favorably to the bill—

For the relief of B. F. Royal and Harriet Royal, of Bullock county ;

Which bill was read a third time and passed.

Mr. Barr, from the committee on fees and salaries, reported favorably, with amendment, to the House bill—

For the relief of the members of the late Constitutional Convention ;

Which amendment was adopted, and the bill read a third time and passed.

Mr. Sanford, from the committee on poor laws and charitable institutions, reported a bill—

For the relief of Wm. King, of Franklin county ;

Which was read three times forthwith and passed ;

Also, reported favorably to bills—

To amend section 1468 of the Revised Code ;

For the better maintenance of the poor of this State ;

Which bills were severally read a third time and passed.

Mr. Barr introduced a bill—

To provide a clerk in the office of Secretary of State ;

Which was read and laid on the table.

Mr. McAfee, from the judiciary committee, reported favorably to the bill—

To provide for severances in the trial of criminal cases ;

Which bill was laid on the table.

Senate then adjourned till 4 P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

On motion of Mr. McAfee, the bill to provide for severances in trials of criminal cases,

Was taken from the table ;

A minority report upon the bill was presented from the judiciary committee,

And the bill was again laid on the table.

Mr. Barr offered the following resolution,

Which was afterwards withdrawn :

*Resolved*, That hereafter, during the session, no Senator shall be allowed more than ten minutes to speak on any bill at one time.

Bill to legalize the assessment of taxes for 1868,

Was taken up on its third reading ;

Mr. Hays moved to amend,

Which was lost.

On motion of Mr. Oliver, "18" was stricken out and "21" inserted. Yeas 13, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Coon, Hays, McAfee, Martin, Morton, Oliver, Royal, Sanford, Sevier, Sibley and Wise—13.

Those who voted in the negative are, Messrs. Bromberg, Farden, Johnston, Mabry, Pennington, Richards, Whitney, Worthy and Yordy—9.

Mr. Pennington moved to insert \$2 for the poll tax in place of \$1 50 ;

Which motion was lost,

And the bill read a third time and passed.

Senate concurred in the amendment of the House to the Senate bill,

To require the Secretary of State to furnish missing volumes of the Supreme Court Reports to probate judges.

Mr. Pennington moved to lay on the table the House amendment to the Senate bill to amend section 2931 of the Revised Code ;

Which motion was lost, and the Senate concurred in the amendment ;

Senate concurred in the amendment of the House to the Senate bill to abolish the office of commissioner and trustee of the State bank and branches ;

House bill to empower the Governor to appoint notaries public,

Was read three times forthwith and passed.

Senate bills to amend section 3616 of the Revised Code ;

To amend section 2536 of the Revised Code ;

To authorize probate judges to render decrees in certain cases ;

To authorize the Governor to fill vacancies in the supreme and chancery courts ;

To require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties ;

Were severally read a third time and passed.

Senate bills, for the relief of Hugh Montgomery, of Clay county ;

To amend section 4198 of the Revised Code ;

Were laid on the table.

House bill to authorize the Governor to commission tax collectors and assessors ;

Was read twice.

On motion of Mr. Whitney the bill was amended by striking out "two years," in section 1, and inserting "three years,"

And, as amended, the bill was read a third time and passed.

House bills to procure the tax payable on cattle in Washington county, owned by non-residents ;

To change the location of the county seat in the county of Baldwin ;

To incorporate the Grey Eagle Fire Company No. 3, of Montgomery ;

To authorise the commissioners court of Lawrence county, in this State, to issue certificates or receipts, &c. ;

Were severally read three times forthwith and passed.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed—

A joint resolution providing for publishing the report of the survey of the Coosa river.

Very respectfully,

D. L. DALTON, Private Secretary.

A message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
Aug. 8, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To change the county seat of Baldwin county ;

To procure the tax payable on cattle in Washington county owned by non-residents.

WM. B. CLOUD, Clerk of House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 Aug. 8, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed—

Joint resolution authorizing the appointment of an additional member of the committee to examine the Revised Code ;

And that it has concurred in the passage of the following Senate bill :

Bill to repeal section 217 of the Revised Code, and for other purposes.

WM. B. CLOUD, Clerk of House.

Senate then adjourned till 10 o'clock to-morrow morning.

## SIXTEENTH DAY.

Monday, August 10, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. A. S. Lakin.

Journal of yesterday was read and approved.

Call of the districts was suspended, to take up

### HOUSE BILLS.

House bill in relation to chancery districts,

Was read twice and made the special order for 10½ o'clock to-morrow morning.

Leave of absence was granted to Mr. Jones.

### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 August 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the passage of the following Senate bills, to-wit :

Bill for the relief of Jane Johnson ;

For the relief of N. J. Skelton, of Jackson county ;

For the final settlement of the affairs of the Bank of Selma, and for the release of the State of Alabama from responsibility for its circulation ;



To authorize writs of garnishment against incorporated cities, towns and villages ;

To amend the law in relation to private incorporations ;

And having originated and passed the following bill :

For the relief of George W. Anderson of Clay county.

Very respectfully,

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
August 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

Bill to regulate the publication of legal and other notices in the State of Alabama ;

To require tax collectors to pay over to the treasury ;

To authorize the citizens of Orion, in Pike county, to hold an election for officers ;

To establish a medical board in Lee county.

Very respectfully,

W. B. CLOUD,

Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 10, 1868. }

*Mr. President :*

I am directed by the House of Representatives to inform the Senate of its having originated and passed the following bills :

For the relief of Wm. B. Martin, of Russell county :

To amend an act to incorporate the Planters' and Merchants' Mutual Insurance Company of Mobile, approved February 16th, 1866 ;

To amend an act to incorporate the Mobile Mutual Insurance Company, approved Feb. 16, 1866 ;

To incorporate the Citizens' Mutual Insurance Company of Mobile, approved December 14, 1865 ;

To amend an act to incorporate the Stonewall Insurance Company, approved Feb. 16, 1866.

Respectfully,

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
August 10, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To amend an ordinance of the late constitutional convention, entitled "an ordinance to stay the collection of debts," so far as it concerns process from the courts of Mobile county ;

To establish a ferry across the Tennessee river, at or near the town of Bainbridge, in Lauderdale county.

WM. B. CLOUD, Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To amend section 2877 of the Revised Code of Alabama ;

To amend and revise sections 3340, 3344 and 3854, par. 4, title 2, of chapter 5, of the Revised Code of Alabama.

W. B. CLOUD, Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has originated and passed bills of the following titles :

In relation to the chancery courts of Alabama ; and of its having concurred in the passage of Senate bill to be entitled an act to compel the late officers of Colbert county to deliver over to the duly elected and qualified officers of Franklin county, all monies, books, &c., now in the hands of said officers.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

House bills—

To amend an act to incorporate the Stonewall Insurance Company, approved February 16, 1866 ;

To amend an act to incorporate the Citizens Mutual Insurance Company of Mobile, approved December 14, 1865 ;

To amend an act to incorporate the Mobile Mutual Insurance Company, approved February 16, 1866 ;

To amend an act to incorporate the Merchants Insurance Company of Mobile, approved February 16, 1866 ;

Were severally read three times forthwith and passed.

House bill—

To regulate the publication of legal notices ;

Was read twice.

Mr. Worthy moved to refer the bills ;

Mr. Pennington moved to amend by giving the selection to "probate judges;

Which motion was lost ;

And the bill was read a third time and passed—yeas 15, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Coon, Farden, Foster, King, Martin, Oliver, Richards, Royal, Sanford, Sibley, Whitney and Wise—15.

Those who voted in the negative are, Messrs. Hays, Johnston, Mabry, Mahan, McAfee, Pennington, Sevier, Worthy and Yordy—9.

Mr. Bromberg called up the bill to fix the time for the meeting of the General Assembly ;

The vote recommitting it to the judiciary committee was reconsidered ;

Mr. Farden moved to strike out all after "1868";

Mr. Richards moved to lay the bill on the table ;

Which motion was lost ;

And Mr. Farden's motion was lost ;

Mr. Oliver moved to postpone the further consideration of the bill until to-morrow ;

Which motion was lost ;

Mr. Sanford offered a joint resolution, providing that the General Assembly adjourn on Wednesday next till 1st Monday in November ;

Which was adopted.

Mr. Pennington offered a joint resolution in relation to printing ;

Mr. Coon moved to amend ;

Mr. Hays moved to amend said amendment ;

Pending its consideration—

Senate adjourned till 4 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. Pennington's joint resolution relating to printing came up ;

The question being on Mr. Hays' amendment to Mr. Coon's substitute ;

And Mr. Hays' amendment was lost ;

On motion, Mr. Coon's substitute was laid on the table ;

The joint resolution was read a third time and passed.

Mr. Barr offered a joint resolution providing for the ap-

pointment of a committee of the two Houses of the General Assembly to visit and report upon the Lunatic Asylum, and other public State institutions ;

Which was adopted.

Mr. Foster introduced a bill to amend 3, 8 and 13, of an act in relation to chancery courts in Alabama ;

Which was read twice and made special order for 12 o'clock to-morrow morning.

Mr. Farden, from the committee on internal improvements, reported favorably, with amendment, to the House joint memorial to Congress ;

Which amendment was adopted and the memorial was read a third time and passed ;

Also, from the same committee, reported favorably, with amendments, to the bill to amend an act incorporating the Montgomery and Pickett Springs Gravel Road company ;

Which amendments were adopted ;

And the bill read a third time and passed.

House joint resolution for appointing certain members to examine the Revised Code ;

Was read twice.

On motion of Mr. King, it was amended, so that "two" be appointed by the speaker of the House ;

On motion of Mr. Bromberg, the compensation was not to exceed \$1,200 ;

Joint resolution was then read a third time and lost.

House bill for the relief of William B. Martin, of Russell county ;

Was read twice.

On motion of Mr. Worthy, the word "murder" was stricken out of the preamble and the words "justifiable homicide" was inserted ;

On motion of Mr. Whitney, the word "justifiable" was stricken out ;

Bill was then read a third time, and passed—yeas 1 nays 6.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Coon, Farden, Foster, Johnston, Richards, Royal, Sibley, Whitney, Wise, Worthy, and Yordy—13.

Those who voted in the negative are, Messrs. Buckley, Mabry, Mahan, McAfee, Sanford, and Sevier—6.

House bill to amend an ordinance to stay the collection of debts, so far as concerns process from the courts from Mobile county ;

Was read, and on motion of Mr. Hays, was laid on the table.

House bill to amend and revise sections 3840, 3844 and 3850, part 4, title 2, and chapter 5 of the Revised Code of Alabama,

Was read twice.

Mr. Worthy moved to strike out "travelling expenses ;"

Which motion was lost.

Mr. McAfee moved indefinite postponement of the bill ;

Which motion was also lost—yeas 13 ; nays 14.

Those who voted in the affirmative are, Messrs. Foster, King, Mabry, Mahan, McAfee, Oliver, Sevier, and Worthy—8.

Those who voted in the negative are, Messrs. Barr, Bromberg, Coon, Farden, Pennington, Richards, Royal, Sanford, Sibley, Whitney, Wise and Yordy—12.

Bill was read a third time and passed.

House bill for the relief of George W. Anderson, of Clay county,

Was read twice.

On motion of Mr. Oliver it was postponed indefinitely—yeas 10, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Mahan, McAfee, Martin, Oliver, Richards, Sanford, Sevier, and Yordy—10.

Those who voted in the negative are, Messrs. Farden, Foster, King, Mabry, Pennington, Whitney and Wise—7.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Whitney submitted the following report :

We have examined the following bills, and find them correctly enrolled :

An act to provide for the qualification and appointment of State, county and municipal officers ;

A joint resolution providing for the publication of the report of the survey of the Coosa river ;

An act to repeal section 69, Revised Code, requiring the Governor to reside at the capitol ;

An act for the relief of Mary A. Lambert, of Clay county ;

An act to change the time of holding the circuit court in the counties of Coosa and Talladega.

CHAS. O. WHITNEY, Chairman.

Senate adjourned till 10 o'clock to-morrow morning.

## SEVENTEENTH DAY.

SENATE CHAMBER, }  
 Tuesday, August 11, 1868. }

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

Journal of yesterday was read and approved.

Mr. Foster called up the bill to provide for severances in the trial of criminal cases,

Which bill was laid on the table.

Special order came up, it being House bill in relation to the chancery courts ;

Which was read a third time and passed—yeas 15, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Hays, Johnston, King, Mabry, Martin, Pennington, Richards, Royal, Sevier, Sibley, Whitney and Wise—15.

Those who voted in the negative are, Messrs. Buckley, Jones, Mahan, McAfee, Oliver, Sanford, Worthy and Yordy—8.

Mr. Bromberg introduced a bill to repeal section 217 of the Revised Code.

Mr. Bromberg moved to postpone further consideration until to-morrow.

At 12 o'clock, the special order came up, it being the bill—

To amend sections 3, 8 and 13 of an act in relation to the chancery courts ;

Which bill was read a third time and passed.

Mr. Pennington introduced joint resolution to provide for examining the Revised Code,

Which was read twice, and then a third time and lost.

Messages were received from the House, as follows :

HALL OF HOUSE OF REPRESENTATIVES, }  
 Aug. 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To amend section 962 of the Code, and for other purposes ;

To facilitate the collection of taxes :

For the relief of Wm. Christian, of Bibb county :

Also, that it has passed the following Senate bills :

To amend sections 3, 8 and 13 of an act in relation to chancery courts of Alabama ;

To amend section 1417 of the Revised Code of Alabama ;

To repeal a portion of an act to incorporate the Briarfield Iron Works Company of Bibb county.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
August 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To ratify and confirm an election held for justices of the peace and constables in the several wards of the city of Mobile ;

To authorize the issue of State bonds ;

To amend the charter of the city of Mobile ;

Also, of its having originated and adopted the following joint resolution :

To provide for the printing of the laws and journals of this session of the Legislature.

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
August 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bills of the following titles :

To regulate judicial proceedings in certain cases ;

Making appropriations to pay contingent expenses of the Senate ;

For the government of the bureau of industrial resources, as amended.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Message was received from the Governor :

EXECUTIVE DEPARTMENT, }  
STATE OF ALABAMA, }  
Montgomery, August 11, 1868. }

*To the Senate :*

By the 2d section, article 3d of the Constitution of the United States, it is provided that "each State shall appoint in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of senators and repre-

sentatives to which the State may be entitled in the Congress. Thus it is clear that the Legislature of the State has the undoubted constitutional power to choose the Presidential electors. But the Constitution of this State requires that "every bill or resolution having the force of law, to which the concurrence of both houses of the General Assembly may be necessary, except on a question of adjournment, which shall have passed both houses, shall be presented to the Governor; and if he approves, he shall sign it; if not, he shall return it with his objections to the house in which it shall have originated." Here is devolved upon the Governor a plain, and at the same time an imperative duty. The Constitution is mandatory in requiring him to approve or disapprove every bill presented to him. He could not, if he would, evade the duty thus imposed upon him.

For several days I have been carefully and seriously considering the merits of the bill which originated in the Senate, to be entitled "An act to repeal section 217 of the Revised Code, and for other purposes." After the most mature reflection, I am forced to the conclusion that the bill is wrong in principle, and that it would be a dangerous precedent in a Republican government. As my judgment does not approve the bill, it is my constitutional duty to return it to the Senate with my objections. To me this is an unpleasant duty. If I entertained any doubt in regard to the justice or policy of this bill, I should certainly give the benefit of the doubt to the General Assembly and approve the bill.

All republics are based upon the doctrines that "governments derive their just powers from the consent of the governed." No party in this country has proclaimed this doctrine with such pertinacity, or contended so earnestly for its adoption in its fullest sense, as the Republican party. That party stands committed by the platform recently adopted by the Convention at Chicago, which nominated Grant and Colfax, to the universal manhood suffrage in the States lately in rebellion. This position has been gradually assumed by the Republican party of the nation, at the earnest request of Southern Unionists, upon the plea that it was necessary for the protection of the union men of both races that colored men should be allowed to vote.

In the effort to secure this right, a conflict ensued between the Executive and Legislative departments of the National government which has convulsed the country, and well nigh precipitated a civil war. Indeed, the full extent, and ultimate result of that conflict cannot yet be foreseen.



It cannot but be regarded as remarkable, that the first Republican Legislature convened in Alabama, should, in the face of the principles of its organization, which every Republican professes to hold dear, deny not only to the colored, but to the white men, the right, by his vote, to indicate his choice for a President and Vice President of the United States, and take the matter in its own hands. What excuse can there be for it? Is it mere party expediency? If so, then it is an abandonment of principle, or an acknowledgment that the material out of which the Republican party is composed, cannot be trusted. In other words, it is to say that the colored men will not do to be trusted. The action of the General Assembly will be regarded as still more remarkable when considered in connection with what seems to have been the almost unanimous opinion of the leading members of the Republican party of Alabama.

It was belived by most of them, and so represented at Washington, that a large majority of the voting population of the State, were in favor of the new constitution. This was as much as to say that the Republican party was in a large majority in the State; for it is well known that none but Republicans favored the constitution; and even some of them opposed it. If the party is as strong as it has been supposed to be, then the necessity of party expediency does not exist. But even if it did exist, would we be justifiable in resorting to it? As much as I desire the election of Grant and Colfax, I am unwilling to become a party, in behalf of that desirable result, to a scheme which practically denies the very principles for which those standard bearers stand pledged before the country.

But it may be said, that, owing to the excited temper of the Democratic party, we cannot have a peaceable election; and that this measure is merely resorted to in the interest of peace. If this be so, then it is a recoil from the issue on our part, and a tacit acknowledgment that we are unable to protect ourselves against the minority. I respectfully submit, that the Republican party should not be exposed to the disparaging comments, not to say ridicule, that would result from this position.

In this connection the question may very properly be asked, if it is not safe to have an election now, when will it be? If you wait until the Democratic press, and Democratic voters cease to employ violent, exciting and abusive language, it is not at all probable that the time will ever come when we can have a peaceful election; and, therefore, to be consistent, we should avoid all elections in the future.

It may be contended with some degree of plausibility, that

if our political opponents had the power which we possess, they would use it to secure the eight electoral votes of Alabama for Seymour and Blair. But does the assumption that the Democrats, if they had the power, would deprive the people of the right to vote, justify us in doing so? It seems to me that every candid man must answer no!

It is said that the old secession party, whose leaders are prominent in the Democratic party now, usurped, in 1860--1, power which belonged to the people, for the purpose of secession and war; and that now the Republican party would be justified in exercising a clear constitutional right in the interest of union and peace. I admit that this argument is not without some force, still, when examined carefully, I do not think it can be regarded as sound; for the effect of it, as I conceive, will not be for peace. The denial of any right to a people who have been accustomed to exercising it, will, in my opinion, be a source of irritation well calculated to produce violence. Every original Union man in Alabama felt aggrieved that the convention of 1861, which passed the ordinance of secession, did not submit its action to a vote of the people. It was held, and justly held, as a crime against the rights of the people. Those who acted thus, never sought to justify their conduct on any other ground than that of expediency. By their action, they showed that they were unwilling to trust the people. We all know the consequences. They need not be recounted here. Reference to them is only made for the purpose of showing that the action of political or legislative bodies, based upon expediency alone, must sooner or later, operate injuriously to the party resorting to it; and that when measures of expediency are adopted, they generally lead to results far different from those designed to be reached. In the particular case referred to, the consequence was the almost total ruin of the State.

For these reasons I respectfully return the bill to the Senate without my approval.

WILLIAM H. SMITH,  
Governor.

Mr. Bromberg moved to postpone the consideration of the veto message till 1st Monday in November next, at 12 o'clock M.

Mr. Coon moved to postpone till 12 m. to-morrow, and that the message be printed.

Mr. Jones appealed from the decision of the chair, which

had decided that any allusions to private character in debate were out of order ;

And the Senate sustained the chair.

Senate then adjourned till 4 P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

The question recurred on Mr. Coon's motion to postpone consideration of the veto message till 12 M. to-morrow and to print ;

Which motion was carried.

Senate bill in relation to the government of the bureau of industrial resources, amended by the House ;

Was taken up.

Senate refused to concur in the amendment, and a committee of conference was appointed, consisting of Messrs. Worthy, Coon and Farden.

Mr. Whitney introduced joint resolutions to furnish each member of the General Assembly with a copy of the Revised Code, and of the Acts of session of 1866-67 ;

Which was read twice.

It was amended, so as to read "except those who have already received them."

Joint resolution was then read a third time and passed.

Ordered forthwith to the House.

House bill conferring jurisdiction of contracts for labor upon judges of probate,

Was read twice.

Mr. Mabry moved to strike out "judges of probate," and insert "justices of the peace,"

Which motion was lost.

Senate also, refused to refer the bill to the judiciary committee.

Mr. Pennington moved to exempt certain counties from the operations of the bill.

On motion of Mr. Pennington,

The bill was laid on the table.

Mr. President appointed Rev. J. A. McCutchen one of the inspectors of the Penitentiary.

On motion of Mr. Pennington,

The joint resolution relative to printing was indefinitely postponed.

Leave of absence was granted to Mr. Morton.

House bill to enable the probate judge of Washington county to remove certain books, papers, &c., to some place of safety, within 5 miles of the centre of said county ;

Was read three times forthwith and passed.

Mr. Wise introduced a bill to authorize and regulate judicial proceedings against foreign corporations ;

Which bill was read three times forthwith and passed, and ordered forthwith to the House.

Mr. Jones introduced a bill--

To enable persons who may be fined in cities and towns to pay their fines, &c. ;

Which was read three times forthwith and passed, and ordered forthwith to the House.

Mr. Worthy, from the select committee, reported favorably to the House bill--

To authorize the issue of State bonds ;

Which was read a third time and passed.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
August 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed Senate bills with the following titles :

To legalize the assessment of taxes in this State, made in the year 1868 ;

To incorporate the town of Munford ;

Authorizing the purchasers of any railroads, or parts thereof, under mortgage sale, &c., to organize as incorporated companies ;

Relating to the militia ;

Also, a bill for the relief of B. F. Royal and Harriet Royal, alias Harriet Phillips, of the county of Bullock.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
Aug. 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To revive an re-enact and put in force an act incorporating the town of Moulton, in Lawrence county, in this State, and for other purposes ;

To authorize the probate judge of Russell county to remove his office ;

And has passed a substitute for the Senate bill--

To amend the incorporation laws of Alabama ;

Bill to make appropriations for the fiscal year ending 30th September, 1869.

WM. B. CLOUD, Clerk House Reps.

HOUSE OF REPRESENTATIVES, }  
Aug. 11, 1868. }

*Mr. President :*

I am directed by the Senate to request the Senate to return the bill in relation to the bureau of industrial resources, and bill for the pay of the Lieutenant Governor ;

And of its having reconsidered the vote by which the Senate bill for the government of the bureau of industrial resources was amended, and passed the original bill.

WM. B. CLOUD, Clerk of House.

House bill making appropriation for the fiscal year ending 30th September, 1869 ;

Was read twice.

Mr. Farden moved to fill the blank as to Lieutenant Governor, with \$1,500.

Mr. Whitney moved to fill with \$2,000 ;

Which motion was lost.

Mr. Farden's motion was carried—yeas 13, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Coon, Farden, King, Martin, Pennington, Richards, Royal, Sibley, Whitney and Wise—13.

Those who voted in the negative are, Messrs. Foster, Hays, Johnston, Jones, Mabry, Mahan, McAfee, Oliver, Sanford, Worthy and Yordy—11.

Mr. Pennington moved to strike out \$1,500 as the pay of the auditor's clerk, and insert \$1,200.

Mr. Mabry moved to fill with \$5,000 ;

Which motion was lost.

Mr. Mabry moved to fill with \$4,800 ;

Which motion was also lost—yeas none, nays 25.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Coon, Farden, Foster, Hays, Johnston, Jones, King, Lentz, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—25.

The blank in the pay of the Superintendent of Industrial Resources was filled with \$2,500.

Mr. Foster moved to change the salary of the Attorney-General from \$2,000 to \$3,000.

Mr. Mabry moved to change it to \$10,000.

On motion of Mr. Pennington,

Both motions were laid on the table.

On motion of Mr. Foster, \$2,800 was inserted in place of \$2,000.

On motion of Mr. Foster, \$150 each was allowed as extra compensation to the Secretary of the Senate and Clerk of the House.

Mr. Barr moved to fill the blank in the case of the Superintendent of Public Instruction with \$3,600.

Pending its consideration,

The Senate adjourned till 10 o'clock to-morrow morning.

## EIGHTEENTH DAY.

WEDNESDAY, Aug, 12, 1868.

Senate met pursuant to adjournment.

Journal of yesterday was read and approved.

Prayer by the chaplain.

Message from the Governor as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

To change the time of holding the circuit court in the 8th judicial circuit ;

To refund certain taxes to the citizens of Marengo county ;

To incorporate the Dexter Fire Engine Company of Montgomery ;

To incorporate the Citizen's Fire Engine Company No. 1, of Union Springs, Ala. ;

A bill to be entitled an act for the relief of Mrs. Sarah A. Lambert, of Monroe county ;

To repeal section 69, Revised Code of Alabama ;

For the removal of disabilities ;

To repeal a portion of an act to incorporate the Briarfield Iron Works Company, of Bibb county ;

To change the time of holding the circuit court in the counties of Coosa and Talladega ;

To amend the law in relation to private corporations ;

For the relief of N. J. Skelton, of Jackson county ;

To abolish the office of commissioner and trustee of the State bank and branches ;

Conferring the jurisdiction of contracts for labor upon judges of probate ;

Joint resolution relative to certain papers and books of public interest.

Very respectfully, your obd't serv't,

D. L. DALTON, Secretary.

A message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
August 12, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

For the relief of Mary C. Foster, of Choctaw county, and of Martha Blakely, of Fayette county, and also, Maria S. Jones, of Marengo county ;

To authorize John Costen, late tax collector of Randolph county, to make settlement with commissioners court ;

To authorize probate courts to render decrees in certain cases ;

In relation to appeals to the supreme court, &c. ;

House bill to have printed ten thousand copies of the reports of the commissioner of emigration.

W. B. CLOUD, Clerk of House.

HOUSE OF REPRESENTATIVES, }  
August 12, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills :

To incorporate the town of Tuskegee and for other purposes ;

To authorize the court of county commissioners for the counties of Montgomery and Jones, to levy a special tax for the purpose therein named ;

W. B. CLOUD,

Clerk of the House.

Mr. Whitney submitted the following report :

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

An act to amend section 3, 8, and 13 of an act entitled an act in relation to chancery courts in Alabama ;

An act to compel the officers of Colbert county to deliver over to the duly elected and qualified officers of Franklin county, all monies, books, papers and property now in the hands of said officers ;

An act for the relief of N. J. Skelton, of Jackson county ;  
 An act for the relief of Jane Johnson ;

An act to repeal an act to authorize writs of garnishment against incorporated cities, towns and villages ;

A bill to be entitled an act to abolish the office of commissioner and trustee of the State bank and branches ;

A joint resolution requiring the Secretary of State to furnish probate judges with volumes of the reports of the Supreme Court of Alabama ;

An act to amend section 5931 of the Revised Code of Alabama ;

An act to authorize the court of county commissioners of Pike county, to levy a tax of 100 per cent. on the State tax for county purposes ;

An act authorizing the purchasers of any railroad, or parts thereof, under mortgage sale, or sales made according to the terms of deed of trust, to organize as incorporated companies, and prescribing their powers and duties ;

An act to incorporate the town of Munford, in the county of Talladega ;

An act relating to the militia ;

An act to legalize the assessment of taxes in the State of Alabama, made in the year 1868 ;

An act for the relief of B. F. Royal and Harriet Royal, alias Harriet Phillips, of Bullock county ;

An act for the relief of Mary C. Foster, of Choctaw county, and of Martha Blakely, of Fayette county, also, Maria S. Jones, of Marengo county ;

An act to amend the corporation laws of Alabama ;

An act to amend section 2536 of the Revised Code ;

An act to amend an act incorporating the Montgomery and Pickett Springs Gravel Road.

C. O. WHITNEY, Chairman.

House bill to authorize the probate judge to remove his office ;

Was read and laid on the table.

House bill to provide for the registration of voters of this State ;

Was read a first time and ordered to a second reading.

Mr. Whitney introduced a bill supplementary to an act making appropriations for the fiscal year ending 30th September 1869 ;

Which was read three times forthwith and passed.

House bills—



To amend the ordinance of the late Constitutional Convention entitled an ordinance to stay the collection of debts ;

To authorize the court of county commissioners of Lawrence county, to levy a special tax ;

To amend section 3160 of the Revised Code of Alabama ;

To authorize the courts of county commissioners of Montgomery and Jones counties to levy an additional tax for the purposes therein named ;

For the relief of William Christian, of Bibb county ;

To authorize a ferry across the Tennessee river at or near Bainbridge, in Lauderdale county ;

To confirm the collection of wharfage in the city of Montgomery ;

Were severally read three times forthwith and passed.

Senate concurred in the amendment of the House to the Senate bill authorizing purchasers of railroads, or parts thereof, under mortgage sale, or according to the terms of deed of trust, to organize as incorporated companies, &c. ;

House bill, to incorporate co-operative stores, &c. ;

Was read and laid on the table.

Mr. Yordy offered the following resolution, which was unanimously adopted :

*Resolved*, That the thanks of the Senate are due to the Hon. A. J. Applegate, President of the Senate, for the able and impartial manner in which he has performed the duties of his high and responsible position.


Mr. McAfee offered the following protest,

Which was ordered to be spread upon the journal :

In the matter of the bill for the government of the Bureau of Industrial Resources, which passed in the Senate of the Alabama Legislature, within the present session, Green T. McAfee, of the 10th senatorial district of Alabama, respectfully asks leave to dissent from, and enter this his protest against said bill, and that the same may be entered at large on the journals of this Senate ; and he assigns the following as reasons why he thinks the said bill is injurious to the public interests, to-wit :

1. The present financial embarrassment of Alabama, owing an amount exceeding five million dollars, renders it unwise to pass said bill and cause the powers conferred by "sections 2, 3, and 4 of the 12th article, title 'Industrial Resources,' Revised Constitution, Alabama, Nov. 5, 1867," as well as the powers invested in the officer at the head of said bureau, as above referred to, to be executed, inaugurated and put in force at this time.

2. The limit to the said powers is not fixed and restrained either by said Constitution or said act, so as to prevent incurring a debt against said State, which may hazard seriously, not only the credit of Alabama, but the *solveny* for many years.

3. The officer at the head of said bureau being now authorized by the *bill* recited at the head of this protest, passed by the constitutional grant of power conferred upon him by section 2, 12th article, as above recited, and by said bill, is invested with powers of the most extraordinary character ever known in a well regulated, free government—just so many, if carried out and executed, may cost and fix upon the State of Alabama, before they can revoke or repeal the same,  An indebtedness not less than the round sum of ONE HUNDRED MILLIONS DOLLARS.

4. Said commissioner is, by said act, invested with power to employ agents in every county and every State of the United States; not only so, but in all Europe, and the *small* balance of the world besides; is invested, also, with large powers and discretion as to printing, and publications, and such other and further powers as by the putting the same in force, and by the execution of which *may* bankrupt any nation, having large or small *sources* of revenue.

5. Alabama and her citizens bankrupt! But a few days since her citizens were fed by the munificence (thanks to God for the kindness) of our friends and fellow-citizens North and East, or many an Alabamian would have died of hunger, and of whom, and from whom are the countless bills which, by the head of this bureau, will be presented at every annual session of its Legislature, (as long as any modern system of moral ethics,) until by such amendment as shall be proposed in due time, the bureau becomes defunct. By and of whom, I ask, and out of whom shall the money come wherewith to foot up and satisfy and pay off these long bills?

6. I acknowledge, the establishment no doubt, well regulated and kept within proper bounds, is a good one; the objects commend themselves to every rational mind, but the inauguration is premature and without an adequate money basis to sustain it for the present, so far, at least, as my beloved State of Alabama is concerned.

Respectfully submitted.

GREEN T. MCAFEE.

August 12, 1868.

Mr. President appointed Mr. Barr as Senate committee to

visit the Lunatic and other State institutions; and Messrs. Farden and Sibley to examine and report upon the railroads of this State.

Senate then adjourned, on motion of Mr. Pennington, till 11 o'clock A. M., on the first Monday in November next.

A. J. APPLEGATE,  
President of Senate.

Attest :

M. P. BLUE,  
Secretary of Senate.

# House Bills and Joint Resolutions

LOST IN THE SENATE AT THE JULY SESSION, 1868.

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INDEFINITELY POSTPONED.

To authorize the court of county commissioners of Monroe county to levy an additional tax ;

For the relief of Sarah A. Cochran of the county of Chambers ;

For the relief of George W. Anderson of Clay county ;

To authorize Wash G. Cain to establish a ferry across the Tallapoosa river.

LAIID ON THE TABLE.

To reorganize and establish the municipal government of the city of Montgomery ;

To establish a public ferry over the Tallapoosa river ;

To authorize the rehearing of causes in the Supreme Court, and for other purposes ;

For the relief of John W. Campbell, of Marengo county ;

For the relief of C. C. Rose, of Randolph county ;

For the relief of Mattie A. Blanchard, of the county of Lauderdale ;

To relieve certain persons of Chambers county ;

To authorize the incorporation of co-operative store associations, factorage and commission business, tanning, lightering and wrecking business, and such other associations as may be promotive of the industrial, commercial and material interests of the State ;

To increase jurisdiction of justices of the peace in the county of Marion ;

To amend section 4198 of the Revised Code of Alabama ;

To amend an ordinance of the late constitutional conven-

tion, entitled "An ordinance to stay the collection of debts," so far as it concerns the courts of Mobile county ;

To amend the ordinance of the late constitutional convention, entitled "An ordinance to stay the collection of debts," so far as relates to process from the courts of this State ;

Joint resolution for the recess of both Houses ;

Resolution to change House Rule No. 24.

READ THIRD TIME AND LOST.

House joint resolution for appointing certain members to examine the Code, &c.

SPECIAL ORDER, NOT TAKEN UP.

To inflict penalties on common carriers and their agents, for violations of law, in making unjust and illegal distinctions.

# BILLS, JOINT RESOLUTIONS, &C.,

Introduced in the Senate at July Session, 1868.

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BARR, Mr.—Introduced bills and joint resolutions, as follows :

July 13. Joint resolution ratifying the 14th amendment to the constitution of the United States. Passed.

July 17. To transfer all the books, papers and records of the city court of Montgomery to the circuit court of said county. Lost by concurrence in adverse report, July 21.

July 17. To authorize the issuance of certificates of election to certain officers therein named. Lost by concurrence in adverse report, July 18.

July 17. To amend an ordinance of the constitutional convention of 1867, to stay the collection of debts. Lost by concurrence in adverse report, July 20.

July 17. Joint resolution in relation to the election of United States Senators. Adopted.

July 18. To empower the courts of this State the more effectually to punish contempts and disturbances during the sessions of such courts. Lost by concurrence in adverse report, July 21.

July 22. For the relief of Mrs. S. A. Lambert, of Monroe county. Passed, July 24.

July 25. To authorize the hearing of applications for rehearings in the Supreme Court, and for other purposes. Tabled, August 1.

July 25. To amend section 4198 of the Revised Code. Tabled August 8.

July 25. In relation to the board of immigration. Passed, August 7.

July 28. To authorize investigations into fires in incorporated towns and cities and towns. Amended and passed, July 29.

July 28. To prescribe the salaries of the public officers of this State. Postponed.

July 29. Making appropriations to pay the contingent expenses of the Senate. Passed.

July 30. To pay the officers of the General Assembly not provided for by the Revised Code. Amended and passed.

July 30. Joint resolution relative to certain books and papers of public interest. Passed.

August 1. To amend the ordinance of the constitutional convention to stay the collection of debts. Passed, August 3.

August 8. To provide for the pay of the Lieutenant Governor. Amended and passed, August 4.

August 8. To provide a clerk in the office of Secretary of State. Tabled.

August 10. Joint resolution for the appointment of a joint committee to visit and report upon the Lunatic Asylum and other public State institutions. Adopted.

BROMBERG, Mr.—Introduced bills and joint resolutions, as follows :

July 14. To continue in office certain State and county officers, and to ratify and confirm their acts. Amended and passed, July 20.

July 16. To prescribe the number of commissioners of revenue in Mobile county. Passed, July 18.

July 17. To repeal an act authorizing writs of garnishment against incorporated cities, &c. Lost by concurrence in adverse report, July 20. Reconsidered, and substitute adopted and passed.

July 17. For the qualification of Addison Gage as one of the executors of the estate of Charles P. Gage, deceased. Passed.

July 18. To reorganize and establish the municipal government of the city of Mobile. Passed.

July 20. To define the duties of county solicitors. Substitute adopted and passed, July 29.

July 20. Joint resolution to provide a flag-staff and a flag upon the capitol building. Passed.

July 20. To amend an ordinance of the late constitutional convention "to stay the collection of debts." Lost by concurrence in adverse report, July 21.

July 21. To ratify and confirm the election of commissioners of revenue in Mobile county. Passed, July 25.

July 22. To repeal an act authorizing the appointment of a general administrator and general guardian for the county of Mobile, and for other purposes. Passed, July 25.

July 22. To authorize the commissioners of revenue of

Mobile county to issue bonds and to repeal an act therein named. Lost by concurrence in adverse report, July 29.

July 23. Joint Resolutions postponing the election of United States Senators until noon of the second Monday in November next. Tabled.

July 25. To repeal article 13, of section 437 of the Revised Code.

July 25. To regulate the publication of legal and other notices.

July 27. Memorial from insurance agents at Mobile.

July 27. To amend the corporation laws of Alabama. Amended and passed, August 1.

July 30. To amend section 3616 of the Revised Code. Substitute adopted August 3. Passed August 8.

August 1. To provide for the removal of unworthy and incompetent appointees. Lost, by concurrence in adverse report, August 3.

August 1. To regulate the carriage of passengers by street railroad corporations within the limits of municipal corporations in this State. Referred but committee did not report.

August 11. To repeal section 217 of the Revised Code. Postponed.

BUCKLEY, Mr.—Introduced bills and joint resolutions as follows :

July 22. To extend the time for collecting the taxes of 1867. Passed July 24.

July 30. To secure the punishment of disturbers of the public peace. Lost by concurrence in adverse report, Aug. 3.

July 30. For the relief of Susan Henrietta Bradley. Passed August 6.

COON, Mr.—Introduced bills and joint resolutions as follows :

July 15. To confer upon certain officers authority to administer oaths of office. Mr. Farden's substitute adopted and passed.

July 16. Joint resolution of thanks to Brevet Brigadier General O. L. Shepherd. Passed.

To regulate the publication of legal notices.

July 20. Authorizing the sale of spirituous liquors in the town of Haw Ridge, Dale county, State of Alabama. Lost by concurrence in adverse report, July 21.

To legalize an informal election held in the county of Dale. Passed, July 20.

July 24. Memorial of R. M. Robertson, superintendent of



the New Orleans and Selma Railroad Company. Lost by concurrence in adverse report, July 27.

July 27. Joint resolution for the removal of political disabilities. Tabled.

July 28. Reported a bill for the organization and government of the volunteer militia of the State of Alabama. Substitute adopted and passed, August 1.

July 29. To prevent disorderly conduct.

July 29. Authorizing purchasers of any railroads or parts thereof, under mortgage sale, or according to the terms of deeds of trust, to organize as incorporated companies, &c. Passed, July 30.

August 1. To incorporate the Alabama Educational Association, for the purpose of contributing means for the education of the poor of all classes, of the State of Alabama. Lost by concurrence in adverse report, August 7.

August 3. To provide for the final settlement of the affairs of the bank of Selma, &c. Passed August 7.

August 7. For the protection of married women and minors. Referred, but no report from committee.

FARDEN, Mr.—Introduced bills and joint resolutions as follows :

July 16. To authorize the issuance of certificates of election to certain officers. Amended and passed.

July 17. Joint resolution to Congress in relation to the bankrupt law. Tabled July 18.

July 18. In relation to costs in the courts of this State. Lost by concurrence in adverse report, July 21.

July 18. Joint resolution to establish a lunch and refreshment room in the Capitol building. Tabled July 20.

July 24. To authorize and empower Daniel L. McNeill, a minor, of Elmore county, to settle with his guardian. Passed July 29.

July 25. To fix the time for holding the circuit courts in the second judicial circuit. Passed July 29.

July 27. To legalize the assessment of taxes. Amended and passed, August 8.

July 27. Memorial from the Autauga Agricultural Society. Lost in committee.

July 30. Supplemental to an act to fix the time of the regular annual session of the General Assembly. Passed, August 8.

July 30. To authorize the Autauga Agricultural Society to sell certain property. Passed, August 7.

July 30. To remove the county site of Autauga county. Passed, July 31.

August 3. To regulate proceedings for the sale of property belonging to insolvent estates. Lost, in the hands of committee.

August 3. A petition of the Planters' Factory at Autaugaville. Lost, by concurrence in adverse report, August 8.

August 5. Amend section 1417 of the Revised Code. Passed.

August 8. To authorize the court of county commissioners of Elmore and Autauga counties, to levy a tax of 100 per cent. upon the State tax, for county purposes. Passed.

FOSTER, Mr.—Introduced bills and joint resolutions as follows:

July 16. To regulate the liens of judgments. Lost by concurrence in adverse reports, July 20.

July 17. For the relief of William H. Felts, tax collector of Choctaw county, and the sureties on his official bond. Passed, July 23.

July 18. To fix the time of holding the circuit court in the 7th judicial circuit. Passed July 21.

July 22. To create the county of Chillatchie. Lost in the hands of select committee.

July 24. For the protection of bona fide purchasers for valuable consideration. Passed, July 25. Reconsidered, July 27.

July 27. To provide for the appointment and election of justices, constables and notaries public, amended.

August 3. To declare void liens of judgments since January 1, 1861. Lost in the hands of committee.

August 3. To regulate applications for change of venue in criminal cases. Lost in hands of committee.

August 5. Joint resolution providing for adjournment *sine die*, on the 11th August. Amended and tabled.

August 5. To amend the law in relation to private corporations.

August 8. To provide for the appointment of members of the board of education. Lost in the hands of committee.

August 8. Reported a bill making additional appropriations to pay contingent expenses of the Senate. Passed.

August 10. To amend section 3, 8 and 13 of an act in relation to chancery courts in Alabama. Passed Aug. 11.

HAYS, Mr.—Introduced bills and joint resolutions, as follows:

July 21. To authorize the Governor to fill vacancies in supreme and chancery courts. Passed Aug. 8.

July 24. Joint memorial of the General Assembly of Alabama, to the United States Congress, to enfranchise all the citizens of Alabama. Lost in the hands of the committee.

July 25. In relation to the three per cent. fund. Passed July 27.

July 30. To amend the corporation laws of Alabama. Passed, Aug. 1.

August 1. For the relief of executors and administrators from the payment of interest in legacies and distributive shares of estates. Passed, Aug. 8.

August 3. To amend section 1338 of the Revised Code. Lost in the hands of the committee.

August 3. To provide for severance in trials of criminal cases. Tabled, August 8.

August 3. To authorize the institution of suits in certain cases. Passed, August 8.

August 5. To authorize the erection of a poor house in Greene county. Passed.

August 5. For the better maintenance of the poor of this State. Passed, August 8.

HINDS, Mr.—Introduced bills and joint resolutions, as follows :

July 21.—Joint resolution for supplying missing volumes of the supreme court reports to certain probate judges. Passed, July 28.

July 22. To enable certain administrators to sell real and personal estate at private sale. Lost by concurrence in adverse report, July 29.

July 28. To prevent crimes. Lost in hands of committee.

July 29. For the relief of Mrs. Jane Johnson. Passed, August 3.

July 29. To form a new county to be called Oostanaula. Amended and passed, August 7.

July 29. To authorize the secretary of State to subscribe for 100 copies of Cram's new map of Alabama. Tabled.

JOHNSTON, Mr.—Introduced the following petition :

July 30. Petition of J. L. Blackburne. Lost in hands of committee.

JONES, Mr.—Introduced bills and joint resolutions as follows :

July 15. To provide for the execution of official bonds, &c. Passed, July 16.

July 16. For the relief of poor houses of the several counties of the State of Alabama. Passed July 27.

July 16. To regulate printing. Lost in hands of committee.

July 17. To repeal the 3d section of an ordinance of the Convention of Alabama, under the caption of "debts contracted during the rebellion." Tabled.

July 20. To prevent the carrying of hostile deadly weapons, known as rifle walking-canes or gunshot canes. Passed July 28.

July 22. To exempt the sheriff of Marengo county from the provisions of act No. 186, and sections 1, 2, 3, and 4, of acts of 1866-7, page 173. Passed.

July 24. For the relief of B. F. Royal and Harriet Royal, alias Harriet Phillips, of Bullock county. Passed August 8.

July 24. To amend section 3398 of the Revised Code. Passed July 25.

July 24. To amend the laws of the State of Alabama in relation to the distribution of assets of insolvent estates. Lost by concurrence in adverse report, July 29.

July 24. To refund certain taxes to the citizens of Marengo county. Passed, July 27.

July 24. To provide for the election of members of Congress. Lost by concurrence in adverse report, July 27.

July 29. To amend the city charter of Demopolis, Ala. Passed.

August 8. For the relief of James Hill, jr., administrator *de bonis non* of the estate of Robert Hill, deceased. Tabled.

August 8. To prevent Ku Klux bills. Tabled.

August 11. To enable persons who may be fined in cities and towns to pay their fines, &c. Passed.

KING, Mr.—Introduced bill, as follows :

August 1. To remove the county site of Henry county. Lost in the hands of committee.

LAMBERT, Mr.—Introduced bills, as follows :

July 22. To legalize certain officers therein named. Lost by concurrence in adverse report, July 27.

August 3. To change the time of holding the circuit court in Coosa and Talladega counties. Passed.

LENTZ, Mr.—Introduced joint resolution, as follows :

August 3. Joint resolution to pay for a flag staff and flag on the capitol building. Amended and passed.

MABRY, Mr.—Introduced bills and joint resolutions, as follows:

July 15. To remove the political disabilities imposed by the second clause of third section of the seventh article of the constitution of this State. Tabled, July 17.

July 17. To incorporate Cleburne Fire Company of Eu-  
faula. Passed.

July 25. Joint resolutions proposing amendments to the constitution of Alabama. Lost by concurrence in adverse report, August 3.

July 30. To amend section 730 of the Code. Lost in the hands of committee.

MAHAN, Mr.—Introduced bills, as follows :

July 17. To alter the mode of assessing and collecting the taxes for the county of Bibb, and for other purposes. Lost in hands of committee.

July 30. To repeal a portion of an act to incorporate the Briarfield Iron Works company, of Bibb county. Passed, July 31.

McAFEE, Mr.—Introduced bills, as follows :

July 24. To amend section 2536 of the Revised Code of Alabama. Passed, August 8.

July 25. To change the boundary line between Talladega and Clay counties. Passed, July 29.

July 27. To extend the corporate limits of the town of Talladega. Passed, July 29.

July 29. To establish chancery divisions and districts therein named. Amended and passed, August 3.

July 30. To consolidate the offices of judge of probate and county court in each county in Alabama, to be known as "county court."

August 3. To repeal section 69 of the Revised Code. Passed.

July 6. To incorporate the town of Munford. Passed.

July 8. To suspend the act to change the time of holding the circuit court in Coosa and Talladega counties. Passed.

MARTIN, Mr.—Introduced bills, as follows :

July 16. To change the county site of Russell county. Amended and passed, July 18.

July 29. For the better security of peace and harmony in the State of Alabama. Lost in the hands of committee.

August 1. To enable the electors of Russell county to cast their votes in one day, and to re-establish a sufficient number of voting precincts therein. Lost in hands of committee.

MORTON, Mr.—Introduced bills, as follows :

July 25. To attach a portion of Fayette to Marion county. Passed, August 7.

OLIVER, Mr.—Introduced bills, as follows :

July 20. For the relief of the estate of David Hanby, deceased, of Jefferson county. Passed, July 27.

July 21. To provide for the registration of all the electors of this State. Lost in the hands of committee.

PENNINGTON, Mr.—Introduced bills and joint resolutions, as follows :

July 16. To continue in force certain laws. Passed, July 24.

July 16. Joint resolution in relation to the school fund. Passed.

July 17. For the relief of Russell L. Griffin, of Lee county. Passed, July 28.

July 17. To authorize the removal of estates from one county to another, in certain cases. Passed, July 25.

July 20. For the relief of Henry Bird. Passed.

July 20. To require the court of county commissioners to publish semi-annual exhibits of the receipts and expenditures of money for and on account of their respective counties. Passed, August 8.

July 20. To confirm the election of judge and clerk of the city court of Selma, in Dallas county. Passed, July 28.

July 20. Joint resolution for a joint committee on political disabilities. Adopted.

July 24. To make the warrants issued by the comptroller on the treasurer, in favor of the members of the Constitutional Convention, receivable in payment of dues to the State. Lost by concurrence in adverse report, July 29.

July 24. To amend and confirm the charter of the Eureka Mining Company of Alabama. Substitute adopted and passed, July 30.

July 28. Joint resolution fixing the pay of the members and officers of the General Assembly. Indefinitely postponed, July 28.

July 28. Reported a bill to remove the disabilities imposed by the second clause of the third section of article 7 of the Constitution of the State of Alabama. Substitute adopted.

July 29. To amend section 28 and 29 of the Revised Code. Lost by concurrence in adverse report, August 3.

July 30. Joint resolution to amend and alter the Constitution of Alabama.

August 1. To regulate judicial proceedings in certain cases. Passed, August 3.

August 1. To change the time of holding the ensuing fall term of the circuit court in Macon county. Lost in hands of committee.

August 1. To remove the disabilities imposed by the second clause of section 3, of article 7, of the Constitution of Alabama. Substitute adopted and passed, August 5.

August 3. For the relief of Jerry A. Guy, of Lee county. Passed.

August 6. Joint resolution providing for the appointment of a joint committee to attend to the printing of the laws and journals at the present session. Adopted.

August 10. Joint resolution relative to printing. Passed.

August 11. Joint resolution to provide for examining the Revised Code. Lost on third reading.

RICHARDS, Mr.—Introduced bills and joint resolutions, as follows :

August 7. Reported joint resolution rescinding the resolution suspending the school fund. Passed.

SANFORD, Mr.—Introduced bills and joint resolutions, as follows :

July 24. For the relief of L. M. Stiff. Lost by concurrence in adverse report, July 29.

August 3. Joint resolution providing for the publication of the report of the survey of the Coosa river. Passed.

August 8. To amend section 2348 of the Revised Code. Passed.

August 8. Reported a bill for the relief of William King, of Franklin county. Passed.

August 10. Joint resolution providing that the general assembly adjourn on Wednesday, 13th August, till 1st Monday in November. Adopted.

SEVIER, Mr.—Introduced bills, as follows :

July 18. To exempt certain persons from working on public roads. Lost by concurrence in adverse report, July 20.

July 21. To strike out certain words and insert certain other words in section 1325 of the Code. Passed.

July 22. To compel the late officers of Colbert county to deliver over to the duly elected and qualified officers of Franklin county, all moneys, books, papers and property, now in the hands of said officers. Amended and passed, August 3.

August 3. To remove political disabilities. Tabled.

August 7. To compel the authorities of Colbert county to transfer official papers, &c., to the authorities of Franklin county. Passed.

SIBLEY, Mr.—Introduced bills, as follows :

July 18. To declare legal and valid, an act to organize the city court of Huntsville. Passed, July 25.

July 22. For the relief of Lafayette Reid. Passed, July 25.

July 22. To relieve the people of the State, of unauthorized adjudication in civil cases. Lost by concurrence in adverse report, July 29.

July 22. For the preservation of the public peace, amended. Lost by concurrence in adverse report, July 25.

July 24. To preserve order at elections. Lost in hands of committee.

July 24. To re-establish the county of Colbert. Lost by concurrence in adverse report, August 3.

July 25. To enable certain county officers to enter upon the discharge of their duties. Tabled, July 27.

July 27. To authorize the probate judge of Russell county to remove the books and records to a place of safety. Lost by concurrence in adverse report, July 29.

July 27. To regulate elections. Substitute adopted, August 6.

July 29. To repeal an act to establish the city court of Huntsville. Passed.

July 30. For the punishment of incendiary publications. Lost by concurrence in adverse report, August 3.

August 8. For the relief of Mary C. Foster, of Choctaw county ; Martha Blakeney, of Fayette county, and Mariah S. Jones, of Marengo county. Passed.

STOW, Mr.—Introduced bills, as follows :

July 21. To alter and amend an act to provide a system of internal improvements in the State of Alabama. Passed, July 29.



July 22. To establish a ferry on the Tallapoosa river, amended. Lost on third reading, July 28.

July 25. To consolidate and make joint stock of the Mobile and Great Western railroad company and the Alabama and Florida railroad company of Alabama, and to change the name of said companies to the Mobile and Montgomery railroad company. Passed, July 29.

July 27. To amend an act to extend the period for the grading of the Tennessee and Alabama Central railroad from Decatur, &c. Passed, July 29.

July 27. To amend section 1417 of the Revised Code. Substitute adopted and passed, July 29.

July 27. Further to amend an act to incorporate the South and North Alabama railroad company, approved February 17, 1854. Passed, July 29.

July 29. To amend the law in relation to private corporations. Passed, August 7.

July 29. To authorize the courts of county commissioners of Elmore and Autauga, Jefferson, Blount and Morgan, to subscribe for railroad stock. Lost in hands of committee.

July 29. To authorize the incorporation of life insurance and mutual aid associations. Lost by concurrence in adverse report, August 3.

July 29. To incorporate the Dexter Fire Engine company of Montgomery. Passed, August 3.

August 1. Authorizing Robert Y. Ware, administrator of James H. Ware, deceased, to cultivate the lands of said estate, and sanctioning his previous cultivation thereof. Lost by concurrence in adverse report, August 3.

August 1. To abolish the office of commissioner and trustee of the State Bank and Branches of the State of Alabama. Passed.

August 1. To amend an act incorporating the Montgomery and Pickett Springs Gravel Road company. Amended and passed, August 8.

WHITNEY, Mr.—Introduced bills and joint resolutions, as follows :

July 14. To amend the charter of the Wills Valley Railroad company. Amended and passed, July 16.

July 16. In relation to the charter of the New Orleans, Mobile and Chattanooga Railroad company, and to repeal sections 21 and 22 thereof. Passed.

July 17. For the relief of Lawson C. Coulson, late probate judge of Jackson county, and his sureties. Amended. Passed.

July 18. To establish the county site of Jackson county. Passed, July 21.

July 20. To authorize sheriffs elect to give the casting vote in certain cases. Passed.

July 22. To provide township maps and copies of field notes for county surveyors. Passed, July 28.

July 24. To declare Belinda Caroline Brewington a lawful heir. Passed, July 29.

August 3. For the relief of N. J. Skelton, of Jackson county. Passed.

August 7. To authorize William W. Boyd, and others, to do certain things. Tabled.

August 8. For the protection of the citizens of Alabama in their rights. Lost in hands of committee.

August 8. To amend the charter of the Mechanics' Hook and Ladder company of Montgomery. Passed.

August 11. Joint resolutions to furnish each member of the General Assembly with a copy of the Revised Code, and of the Acts of session of 1866-67. Amended and passed.

August 12. Supplementary to an act making appropriations for the fiscal year ending September 30, 1869. Passed.

WISE, Mr.—Introduced bills, as follows :

July 20. To authorize Mary A. Norred to sell certain lands.

July 21. For the relief of Hugh Montgomery, of Cleburne county. Tabled, August 8.

July 25. For the relief of Mary A. Lambert, of Clay county. Passed, August 1.

August 1. To authorize the state auditor to furnish tax blanks to the assessors and collectors of the several counties in this State. Lost by concurrence in adverse report, August 4.

August 1. For the relief of James H. Collins, of Randolph county. Lost by concurrence in adverse report, August 8.

August 1. To make Mary Caroline Falconer a free dealer. Lost in the hands of committee.

August 8. To authorize John Costin, late tax collector of Randolph county, to make settlement with the commissioners court. Passed.

August 11. To authorize and regulate proceedings against foreign corporations. Passed.

WORTHY, Mr.—Introduced bills and joint resolutions, as follows :

July 21. To amend section 3849 of the Revised Code of Alabama. Amended and passed, July 24.

July 24. To authorise appeals to the supreme court and proceedings in chancery in certain cases. Amended and passed, August 1.

July 24. To authorize probate courts to render decrees in certain cases. Amended and passed, August 8.

July 27. To change the time of holding the circuit courts in the 8th judicial circuit. Passed, August 1.

July 31. To amend section 4339 of the Revised Code. Passed.

August 1. To provide for the clerks of the Judiciary committee and the clerk of the Senate committee on militia. Passed.

August 3. To incorporate the Citizens' Fire Engine Company No. 1, of Union Springs, Alabama. Passed.

August 5. To authorize the court of county commissioners of Pike county, to levy a tax not exceeding 100 per cent. on the State tax, for county purposes. Passed.

August 7. Preamble and resolutions relating to the alleged outrageous conduct of Lieutenant E. T. Ryan, at Tuscaloosa, (as also a printed extract from the Tuscaloosa "Monitor.") Adopted.

WYMAN, Mr.—Introduced bills, as follows :

July 29. To provide for the registry of the voters of the State of Alabama. Lost in hands of committee.

July 30. To provide for keeping the peace at elections and other public gatherings. Passed, August 1.

July 29. To prohibit the sale of spirituous liquors on election day. Substitute adopted and tabled, July 31.

YORDY, Mr.—Introduced bills, as follows :

July 18. Conferring jurisdiction of contracts for labor upon judges of probate. Lost, by concurrence in adverse report, July 21.

July 26. To repeal an act to incorporate the town of Livingston, and also to repeal an act to amend an act to incorporate the town of Livingston, and to revive the old charter of the said town of Livingston. Tabled, July 28.

July 20. Reported a bill from committee on taxation, extending the time for the collection of taxes for 1867, till November 1, 1868. Passed, July 28.

July 27. To amend section 1468 of the Code. Passed, August 8.

July 29. Reported a bill to amend subdivision 6, of section 434 of the Revised Code. Passed.

July 29. Reported a bill to amend section 1186 of the Revised Code. Passed.

August 3 To amend section 2931 of the Revised Code. Passed.

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**SEPTEMBER SESSION.**

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# CALLED SESSION.

SENATE CHAMBER, }  
Wednesday, Sept. 16, 1868. }

In accordance with the proclamation of Governor Smith, as follows :

Whereas, the constitution of the State of Alabama makes it “the duty of the General Assembly to provide from time to time for the registration of all the electors,” it being distinctly provided, that every elector, before being registered, shall take a prescribed oath ; and

Whereas, the General Assembly, at its second session, formally adopted the Revised Code of Alabama, except such parts thereof as conflict with the constitution and laws of the United States, or the constitution of this State ; and

Whereas, it is specifically provided in section 217 of the said Revised Code, that there shall be an election for electors of President and Vice President of the United States, on the first Tuesday after the first Monday in November, 1868 ; and

Whereas, there seems to be a difference of opinion amongst officers of the State, whether or not the adoption of the Revised Code accomplishes all that is required by the constitution concerning the oath and registration of voters ; and

Whereas, the Governor has no authority under the constitution and laws, to determine a question of this character, his duties being executive and not legislative or judicial ; and

Whereas, the State constitution authorizes the Governor by proclamation, to convene the General Assembly on extraordinary occasions ; and

Whereas, for the reasons above stated, the necessity for a special session of the General Assembly is such as not only to justify the Governor in exercising the authority thus granted by the Constitution, but to make it his duty to do so ;

Now, therefore, I, William H. Smith, Governor of the State of Alabama, by virtue of the authority in me vested by the constitution, do issue this my proclamation, directing that the two Houses of the General Assembly convene in the capitol in the city of Montgomery, at 12 o'clock M., on Wednesday, the 16th September, 1868.

In witness whereof, I have hereunto set my hand, and caused the great seal of the State to be affixed, at the city of Montgomery, this second day of September, A. D., 1868, and of the Independence of the United States of America, the ninety-third year.

WILLIAM H. SMITH.

By the Governor :

CHAS. A. MILLER,

Sec'y of State.

The Senate met in the Senate chamber, at the capitol, and At 12 o'clock M., in the absence of the Lieutenant Governor, A. J. Applegate, President of the Senate, was called to order by the Secretary.

On motion, Mr. Richards was called to the chair.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Foster, Hays, Johnston, Jones, Lambert, Lentz, Mabry, Mahan, McAfee, Martin, Morton, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, Wyman and Yordy—22.

Mr. McAfee moved that the officers and committees of the late session continue for the present session ;

Which motion was carried.

Mr. Sibley presented a letter from Mr. Wade McDonald, resigning the office of Assistant Secretary, which resignation was accepted.

On motion of Mr. Whitney,

The Senate proceeded to the election of an Assistant Secretary.

Mr. Whitney nominated D. C. Whiting, of Morgan county, who was elected unanimously.

On motion of Mr. Barr,

The Secretary was authorized to appoint a page and a sergeant-at-arms, and Neil W. Blue was appointed page and J. S. Farden sergeant-at-arms.

Mr. Worthy moved that the Secretary notify the House of

Representatives that the Senate is organized and ready to proceed to business ;

Which motion was carried.

On motion of Mr. Worthy,

The Senate took an informal recess.

After the recess, the Senate was called to order.

The following message was received from the House :

HOUSE OF REPRESENTATIVES, }  
Sept. 16, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has organized and is ready for business.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

On motion of Mr. Barr,

A committee was appointed to wait on General Howard, and invite him to the Senate, and Messrs. Barr, Whitney and McAfee were appointed said committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
Sept. 16, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following joint resolution :

Authorizing the Speaker of the House and President of the Senate to appoint a committee.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adopted said joint resolution, and Messrs. Worthy, Morton and Wyman were appointed a committee.

Mr. McAfee offered the following resolution :

*Resolved*, That the action of the Senate of Alabama at this called session of the Legislature, be limited strictly to the subject and objects which shall be recommended to this honorable body by His Excellency, Wm. H. Smith, in such communication as shall be made on this occasion ;

Which resolution, on motion of Mr. Foster, was laid on the table.

On motion of Mr. Foster,

The rules of the late session were adopted for this session.  
The following message was received from the Governor :

EXECUTIVE DEPARTMENT,        }  
STATE OF ALABAMA,               }  
Montgomery, Sept. 16, 1868.

*Gentlemen of the Senate  
and House of Representatives :*

Having deemed it a duty to convene the General Assembly in extraordinary session, I now proceed, as required by section 8, article 5, of the constitution, to the purpose for which you were called together.

On Tuesday, the 3d day of November next, electors for President and Vice President of the United States are to be chosen in the several States of the Union. The particular day on which they must be elected is fixed by a law of Congress ; but the election itself is to be conducted under the laws of each State respectively.

It is of course a matter of the first importance that every election, whether for the choice of Presidential electors, or for any other purpose, should be held in such a manner that its legality or validity cannot be called in question. As there is reasonable, or at least plausible, ground for doubt as to the sufficiency of existing laws in regard to elections, when we consider some of the features of our new constitution, it is surely the part of wisdom to have such doubt removed by additional legislation.

By section 3, Article 7 of the State Constitution, it is made "the duty of the General Assembly to provide, from time to time, for the registration of all electors." The 4th section of the same article requires that all persons, before registering, shall take and subscribe" a particular oath. It is clearly within the discretion of the General Assembly to determine, by legal provision, how electors are to be registered, and to direct the manner in which the designated oath is to be taken and subscribed.

Inasmuch as it is the constitutional duty of the Executive to recommend to the General Assembly such measures as he may deem expedient, I will now respectfully indicate the general character of a law, which, in my judgment, will meet the full requirements of the Constitution, and accomplish all the purposes contemplated by it. In providing for registration of electors, two important objects should be kept in view. One is to afford the amplest facilities to voters, and the

other is to subject the State to as little expense as practicable. I think that both of these ends can be easily attained.

A registration of electors is simply a legally prepared list of such persons entitled to vote, as choose to have their names registered. It is manifestly intended by our Constitution, that the names of electors shall be registered before they vote. Actual voting is the deposit of a ballot, or ticket, in a ballot box. The Revised Code of Alabama provides that, before any one is entitled to have his ballot deposited in a box, or in other words, before he can vote, his name must be written upon two separate lists. This, in my view, is, to all intents and purposes, a registration of electors. Under the new Constitution, however, no man can have his name lawfully placed upon a registration list without first taking and subscribing the electors' oath. The form of the oath is given in the Constitution; and some legal provision should be made for having it properly taken and subscribed. I think that the Constitutional requirement in this regard will be fully complied with if authority be given to have the oath administered by, and subscribed before the returning officer or an inspector of election, as voters present themselves at the polls. Blank forms of the oath should be printed and distributed so that each voter could readily obtain a copy of it. Officers conducting the election should be required to administer the oath without extra charge.

Under such a law as this, voting could not, of course, be done as rapidly as heretofore, when no oath was required. But whatever inconvenience would result from this cause, may be easily remedied. The proper officer should be authorized to provide as many voting boxes at each precinct as may be requisite to enable all voters to exercise the elective franchise without difficulty or unnecessary delay. Under the law as it now stands, votes are received at one designated locality in each precinct. These localities are presumed to be sufficiently accessible to accommodate all voters. But now that colored men are enfranchised, the voting population is much larger than formerly; and this fact, taken in connection with the slower process of voting where an oath has to be administered to electors at the polls, constitutes, in my judgment, a strong reason for authorizing two or more boxes at one place where it may be deemed necessary. This would merely involve an increase in the number of election officers.

While the chief purpose for which I considered it advisable to convene the General Assembly, was to afford an oppor-



tunity for the enactment of a law under which our elections can be held free from all possible doubt, yet I would direct attention to an act passed at your recent session, amendatory of the Internal Improvement Law of the State. The act has the effect of depriving a railroad having one or both of its termini outside of the State, of the benefit of the Internal Improvement Law, until at least twenty miles of the road shall have been built within the limits of this State, notwithstanding more than that distance may be completed outside of it. There is some reason to believe that this act, unless amended, will seriously retard the construction of one road, which if built, will be a great public benefit. It is probable that the peculiar phraseology of the act which has this effect, was employed inadvertently; and I therefore recommend the enactment of a law which will remedy the result. We should do everything consistent with the ability of the State to encourage works of internal improvement, and develop our material resources.

WILLIAM H. SMITH, Governor.

Which message was read.

On motion of Mr. Barr it was laid on the table, and 2,000 copies were ordered to be printed for the use of the Senate.

On motion of Mr. Barr the Secretary was authorized to have the printing done.

On motion of Mr. Worthy, all that part of the Governor's message relating to internal improvements, was referred to a special committee of five, and Messrs. Worthy, Barr, Whitney, Jones and Buckley were appointed said special committee.

Mr. Barr introduced a bill to aid in opening certain rivers in this State to navigation;

Which was read twice, and referred to the special committee on internal improvements.

Gen. Howard, escorted by the select committee and the Governor, made his appearance in the Senate chamber, and was assigned a seat at the right of the President.

On motion of Mr. Barr Senate then took a recess for half an hour, after which,

Senate adjourned till 10 o'clock to-morrow morning.

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THURSDAY, September 17, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

Journal of yesterday was read and approved.

The roll was called, when a quorum was found to be present.

Mr. Pennington offered the following joint resolution,  
Which was read and adopted :

*Resolved by the Senate* (the House concurring), That the two houses appoint a committee of seven, three to be appointed by the President of the Senate, and four by the Speaker of the House, to whom shall be referred all of the Governor's message relating to registration.

Messrs. Pennington, Worthy and Sibley were appointed said committee on the part of the Senate.

Mr. McAfee moved to take from the table his resolution offered yesterday relating to the business of the Senate at the present session ;

Which motion was lost.

Mr. Pennington moved to reconsider the action of the Senate as to a special committee on registration ;

Which motion was lost.

On motion of Mr. Pennington, the committee on the part of the Senate was increased to five.

The committee was then made to consist of Messrs. Pennington, Worthy, Bromberg, Whitney and Sibley.

Mr. Whitney introduced a bill to amend the act to establish a system of internal improvements in the State of Alabama ;

Which bill was read twice and referred to the special committee on internal improvements.

Senate then took a recess for one hour, after which recess, Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, September 18, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Jones introduced the following resolution :

WHEREAS, By section 20, article 4, of the Constitution of the State of Alabama, it is provided among other things, that no person who holds any lucrative office under the United States shall be eligible to the General Assembly, and

WHEREAS, By section 200 of the Revised Code of Alabama, it is provided that an office is vacated by the incumbent thereof ceasing to be a resident of the district for which he was elected, and

WHEREAS, It is apprehended that some Senators of the

State of Alabama come under the above sections, (section 20, article 4, and section 200 of the Revised Code).

*Be it resolved by the Senate,* That a select committee of three be appointed by the Senate to enquire by what authority these persons hold office as Legislators, and what action is necessary in the premises.

Mr. Pennington moved that the further consideration of the resolution be postponed in order to take up the resolution offered by Mr. McAfee on Monday ;

Pending consideration of Mr. Pennington's motion,  
Senate adjourned till 9 o'clock to-morrow morning.

SATURDAY, September 19, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Pennington's motion of yesterday was first considered, Mr. Worthy being entitled to the floor.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to communicate to the Senate a message in writing.

D. L. DALTON, private secretary.

Mr. Jones rose to a question of privilege, namely, that he had been informed that Mr. Harris, a member of the House, was in the Senate chamber on yesterday with a drawn knife for the purpose of stabbing him, and that the secretary of the Senate had interposed for his protection, and induced Mr. Harris to retire. Mr. Jones had to say that he did not look to the Secretary to save his life ; and he would also say that if Harris came again with such an evil purpose, he had better be prepared for his death stab.

A message was received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
September 19, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has concurred in the adoption of the Senate joint resolution, and appointed Messrs. Hardy, Quinn, Jones, of Tuscaloosa, Page, J. A. Hart, Smith of Morgan, Gregory, Springfield, and Stewart, as committee on the part of the House ;

Of its having originated and passed a bill of the following title :

A bill to be entitled an act to make appropriation for the pay of the members and officers of the present call session of the General Assembly.

W. B. CLOUD,  
Clerk of House.

Leave of absence was granted to Mr. Pennington for the balance of the day.

Mr. Whitney called the previous question on Mr. Jones' resolution,

Which was sustained ;

And the resolution was adopted.

Mr. President appointed Messrs. Jones, Barr and Foster, the committee under said resolution ;

On motion of Mr. Whitney, the committee was increased to five, and Messrs. Whitney and Lambert were added to the committee.

Mr. Whitney presented the following letter from Mr. Coon, senator from Dallas county ;

Which was read by the secretary and ordered to be spread upon the journal :

EDGERTON, WIS.,  
Sept. 14, 1868. }

Hon. C. E. WHITNEY,

*State Senate, Montgomery, Ala.:*

SIR : Owing to the feeble condition of the health of my wife, it will be impossible for me to meet you at the called session of the Legislature on the 16th. You will therefore do me the favor to see that I am properly excused, and the cause entered upon the minutes.

I am, very respectfully,

Your obedient servant,

D. E. COON.

Senate then adjourned till 10 o'clock Monday morning.

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MONDAY, September 21, 1868.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Vansandt of the House.

Journal of Saturday was read and approved.

Mr. Sevier rose to a question of privilege. He alluded to a false report of himself on Saturday, and offered a resolution for the expulsion of the reporter of the "Montgomery Mail" from the privileges of the Senate;

Mr. Jones moved to amend so as to apply the resolution to all the reporters of newspapers;

Which amendment, on motion of Mr. Whitney,  
Was laid on the table.

Mr. Pennington moved to lay the resolution on the table ;  
Which motion was lost ;

On motion of Mr. Whitney, a committee of five was raised to whom the whole subject was referred. Messrs. Whitney, Hays, Mahan, Mabry and Yordy, were appointed said committee.

Mr. Worthy, from the select committee on internal improvements, reported favorably to the bill to amend the law to establish a system of internal improvements in the State of Alabama ;

On motion of Mr. Whitney, said bill was laid on the table for the present.

Mr. Pennington introduced a bill to establish in perpetuity, a public ferry across the Tallapoosa river ;

Which was read twice and referred to the select committee on internal improvements.

Mr. Hinds introduced joint resolutions and memorial to the President of the United States for troops ;

Which was read.

Mr. Pennington moved that a committee be raised to whom they shall be referred ;

Mr. Hinds called the previous question ;

Which call was sustained,

And said joint resolutions and memorial were read a third time forthwith and passed, and ordered forthwith to the House.

Messrs. Hinds and Hays were appointed the committee on the part of the Senate, under said resolutions—yeas 22, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Hays, Hinds, Johnston, King, Lambert, Lentz, Mahan, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney Wise and Yordy—22.

Those who voted in the negative are, Messrs. Jones, Mabry and Worthy—13.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
 September 21st, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title :

To be entitled an act to amend the law to establish a system of internal improvements in the State of Alabama.

Very respectfully,

W. B. CLOUD,  
 Clerk of the House.

House bill, making appropriation to pay the members and officers of the General Assembly at the present called session,  
 Was read three times forthwith and passed.

Mr. Pennington introduced a bill, to authorize the court of county commissioners of the counties of Lee, Tallapoosa, Coosa, Talladega, Shelby, Jefferson, Walker, Winston, Lawrence and Franklin, to subscribe to the capital stock of the Savannah and Memphis railroad, and for other purposes therein named ;

Which was read twice and referred to the select committee on internal improvements ;

House bill, to amend the law to establish a system of internal improvements in the State of Alabama ;

Was read twice.

On motion of Mr. Barr, the Senate took a recess for a half hour.

During the recess, the Senate was addressed on the subject of the construction of railroads in this State, by Governor Patton of Alabama, and Mr. John C. Stanton of Boston.

After the recess, the House railroad bill was read a third time and passed unanimously—yeas 20, nays 0.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Hinds, Jones, Lambert, Lentz, Mabry, Mahan, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—20.

House bill, for the relief of J. E. and Mary W. Caldwell, of Dallas county ;

Was read three times forthwith and passed.

Mr. Pennington introduced a bill to relieve Leroy Clarke Edwards from disability imposed by section 2357 of the Revised Code of Alabama ;

Which was read three times forthwith and passed.

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, September 22, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

On motion of Mr. Whitney the Senate went into executive session.

A message was received from the Governor announcing the appointment of Gen. C. W. Dustan, as Major General of the militia of Alabama ;

Which nomination was confirmed.

The doors of the Senate were then again thrown open.

Messages were received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
September 22, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed joint resolutions appointing a committee to wait on the Governor, and has also concurred in the adoption of Senate joint resolution and memorial to the President of the United States;

And of its having originated and passed joint resolution in relation to the auditor ;

And, of its having originated and passed bill of the following title :

To authorize the publication of the laws of the State of Alabama.

W. B. CLOUD,  
Clerk of House.

Mr. Jones, at his own request, was excused from serving on the select committee to examine into the eligibility of Senators.

Leave of absence was granted to Mr. Jones for five days, or at his pleasure.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Sevier, to authorize David Patterson to sell and dispose of certain property herein described, belonging to the estate of Calvin L. Britton, deceased, late of Franklin county, Alabama ;

By Mr. Hinds, for the relief of Reddin Garrison and Salina E. Garrison ;

By Mr. Lambert, to amend sections 4377 and 4390 of the Revised Code of Alabama ;

By Mr. Pennington, to amend sections 2876 and 2877 of the Revised Code of Alabama, to provide for registration of judgments in certain cases, and to discharge liens of judgments ;

By Mr. Worthy, to regulate proceedings in civil suits where certain papers are lost or destroyed ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Sibley, to amend section 1389 of the Code ;

By Mr. Hays, to authorize the consolidation of the North-east and Southwest Railroad Company with the Wills Valley Railroad Company, and to provide for the organization of the corporation formed by such consolidation, and to give it the benefit of the State's endorsement of its bonds, and to regulate the said consolidation ;

Which bills were severally read twice and referred to the select committee on internal improvements.

By Mr. Sibley, (with petition) to add a portion of Lee to the county of Russell, in the State of Alabama ;

By Mr. Mabry, (with petition) to change the boundary line between the counties of Barbour and Bullock ;

Which bills were severally read twice, and referred to the Committee on Municipal and County Organizations.

By Mr. Martin, to make Harriet Cadenhead and others, free dealers ;

By Mr. Hays, to legalize the assessment of a county tax in the county of Greene, for the year 1867 ;

By Mr. Barr, to enforce the law requiring persons to work on public roads ;

By Mr. Pennington, to change the county seat of Russell county ;

Which bills were severally read three times forthwith and passed.

By Mr. Foster, for the relief of C. A. Spangenberg, acting jailor of Choctaw county ;

Which bill was read twice and referred to the committee on accounts and claims.

By Mr. Bromberg, to repeal sections 2 and 3 of an act entitled an act in relation to schools in Mobile county, enacted by the board of education of the State of Alabama, approved August 11, 1868 ;

To legalize the board of school commissioners of Mobile ;



Which bills were severally read twice and referred to the committee on education.

By Mr. Whitney, for the relief of laborers and employees ;  
Which bill was read twice.

On motion of Mr. Whitney, said bill was amended, and then as amended, it was read a third time forthwith and passed.

By Mr. King, to declare the election held in Coffee county valid, and for other purposes ;

Which bill was read twice and referred to the committee on privileges and elections, with instructions to report at their earliest convenience.

Mr. Wise was excused from attendance in the Senate on account of sickness.

House bill—

To establish a Masonic Home in Chambers county ;

Was called up by Mr. Whitney and read twice.

Mr. Bromberg moved to postpone the bill indefinitely ;

Pending the consideration of which motion,

Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, September 23, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Worthy, from the select committee on internal improvements, reported favorably to the bill to authorize the consolidation of the North-east and South-west Railroad Company and the Wills Valley Railroad Company, &c.;

Which was read a third time and passed, and ordered forthwith to the House.

Mr. Pennington offered the following joint resolution :

*Resolved* (the House concurring), That two additional members be added to the committee to visit the President of the United States, as commander-in-chief of the army, one to be appointed by the President of the Senate, and one by the Speaker of the House, and that in respect to minorities, those two additional members be selected from the Democratic members of the two Houses.

Mr. Pennington moved to amend ;

Which motion was lost.

On motion of Mr. Farden, the joint resolution was laid on the table, yeas 15, nays 6.

Those who voted in the affirmative are, Messrs. Buckley,

Farden, Foster, King, Lentz, Mahan, McAfee, Martin, Oliver, Richards, Sanford, Sevier, Sibley, Whitney and Wise—15.

Those who voted in the negative are, Messrs. Bromberg, Johnston, Lambert, Pennington, Royal and Yordy—6.

Mr. Worthy was excused from voting.

Message from the Governor as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed a joint resolution and memorial to the President of the United States, as Commander-in-chief of the Army.

D. L. DALTON,  
Private Secretary.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee from the judiciary committee, reported adversely to the bill

To authorize David Patterson to sell and dispose of certain property belonging to the estate of Calvin L. Britton, deceased ;

Which report was concurred in.

Also, from the same committee, reported favorably to the bill—

For the relief of Reddin Garrison and Salina E. Garrison ;  
Which bill was read a third time and passed.

Also, from the same committee, reported favorably to the bill—

To amend sections 4377 and 4390 of the Revised Code of Alabama ;

Which bill was recommitted to the judiciary committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
September 23, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bill :

To be entitled an act to authorize the consolidation of the North-east and South-west Alabama Railroad with the Wills Valley Railroad, &c.

W. B. CLOUD, Clerk of House.

House bill to consolidate the Northeast and Southwest Railroad company and the Wills Valley Railroad company ;

Was read three times forthwith and passed ;

Mr. McAfee, from the judiciary committee, reported favorably to bills—

To protect elected and appointed officers of the State of Alabama ;

To regulate proceedings in civil suits where certain papers are lost or destroyed ;

Which bills were severally read a third time and passed.

Mr. Foster, from the committee on accounts and claims, reported favorably to the bill—

For the relief of C. A. Spangenberg, acting jailor of Choctaw county ;

Which bill was read a third time and passed.

House bill to provide a Masonic Home in the county of Chambers ;

Was read a third time and passed.

Yeas 12, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Martin, Morton, Pennington, Royal, Sevier, Whitney and Wise—12.

Those who voted in the negative are, Messrs. Lambert, Lentz, Mahan, McAfee, Oliver, Richards, Sanford, Sibley, Worthy and Yordy—10.

House bill to amend an act to lay off and divide the State into 12 judicial circuits ;

Was read three times forthwith and passed.

House bill to require judges to make certain entries in their dockets ;

Was read a second time and referred to the committee on the judiciary.

Mr. Barr introduced a bill to legalize the action of the Superintendent of Education of Mobile in appointing a board of school commissioners for said county ;

Which was read twice and referred to the committee on education.

Mr. King offered the following resolution :

*Resolved*, That the ante-room of the Senate be cleared of whiskey, or any other intoxicating drinks, believing that using such room for such a purpose is deleterious to the interests of the Senate and the State ; and that the sergeant-at-arms be directed to clear the capitol building of all provision, fruit and other huxter's stands, and that the sergeant-at-arms is hereby authorized to designate a room in the capitol, to be placed in

the hands of responsible parties, to be used as a lunch and refreshment room.

Mr. Whitney offered a substitute,  
Which was accepted.

Mr. Pennington offered a substitute,  
Which was adopted.

Mr. Worthy, from the select committee on internal improvements, reported a substitute for the bill—

To aid in opening certain rivers in this State to navigation

On motion of Mr. Worthy,

The further consideration of the bill was postponed, and the bill made the special order for 12 o'clock to-morrow.

Senate then adjourned till 10 o'clock to-morrow morning.

THURSDAY, Sept. 24, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

#### CALL OF THE DISTRICTS.

On the call of the Districts, the following bills were introduced :

By Mr. Sibley, to repeal section 4231, of the Revised Code ;

By Mr. Pennington, for the protection of married women and minors ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Whitney, to establish a ferry on the Tennessee river ;

To incorporate the town of Scottsboro, in Jackson county ;

By Mr. Sanford, to form a new county to be called the county of ——— ;

By Mr. Foster, to repeal an ordinance to abolish the county of Baine ;

Which bills were severally read twice, and referred to the committee on municipal and county organizations.

By Mr. Bromberg, for the relief of E. B. Lott, late tax collector of Mobile county ;

Which bill was read twice, and referred to the committee on accounts and claims.

By Mr. Foster, for the relief of the estate of Matilda Huston, deceased ;

By Mr. Buckley, for the relief of Susan H. Bradley, of Lowndes county ;

By Mr. Worthy, for the relief of W. C. Wood and others therein named ;

Which were severally read three times and passed.

By Mr. Worthy, a petition from Jones county ;

Which was referred to the committee on municipal and county organizations, with instructions to report by bill or otherwise.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
Sept. 24, 1868. }

*Mr. President :*

I am directed by the House of Representatives to inform the Senate of its having originated and passed the following bill :

To authorize Wash G. Cain to establish a ferry across the Tallapoosa river.

Very respectfully,

WM. B. CLOUD, Clerk.

Mr. President Richards was excused for the balance of the day, and Mr. McAfee was called to the chair.

At 12 o'clock, the special order came up, it being the bill to aid in opening certain rivers in this State to navigation.

Mr. Worthy moved to amend, as follows,

Which was adopted ;

Provided, that the improvement of said rivers shall be such as always to furnish three feet of water in the channel of said rivers, three feet deep and twenty-five feet wide for the first one hundred miles, and twenty feet wide for the balance.

Mr. Bromberg offered the following amendment :

Provided, further, that the proceeds arising from the sale of the bonds shall be used for the prosecution of the work beyond the first one hundred miles of navigable water, and for no other purpose whatever.

Mr. Farden moved to amend said amendment,

Which was laid on the table.

Mr. Bromberg's amendment was adopted.

Mr. Oliver moved to strike out the words "special character ;"

Which motion, on motion of Mr. Whitney, was laid on the table.

Mr. Farden offered an amendment.

On motion of Mr. Whitney,

The further consideration was postponed and the bill made special order for 11½ o'clock to-morrow.

Mr. Sanford offered a resolution to require the committee on registration to report,

Which was ruled out of order.

On motion of Mr. Pennington,

The committee on registration was authorized to employ a clerk.

House bill to facilitate the collection of taxes ;

Was read twice.

On motion of Mr. Oliver, the words "except for good cause," were inserted in section two.

As amended, the bill was read a third time and passed.

With leave, Mr. Mabry withdrew the bill—

To attach a portion of Bullock county to Barbour county.

Mr. Sibley, from the committee on privileges and elections, reported a substitute for the bill—

To declare valid a certain election in Coffee county in February last ;

Which substitute was adopted.

Pending its consideration,

Senate adjourned till 11 o'clock to-morrow morning.

FRIDAY, September 25, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Mr. President Richards was excused on account of indisposition, and Mr. Pennington was called to the chair.

On motion, the call of the districts was suspended in order to consider the House messages ;

House bill, to authorize the admission of parol evidence in certain cases ;

Was read twice and referred to the judiciary committee.

House joint resolution, relating to the words "auditor" and "comptroller ;"

Was read ;

On motion of Mr. McAfee, it was amended, as follows:

*“Be it further resolved, That this resolution is only declaratory”*;

As amended, the joint resolution was adopted.

At 11½ o'clock, the special order came up, it being the bill to aid in opening certain rivers in this State to navigation ;

The question being on Mr. Farden's amendment ;

Mr. Barr moved to postpone and make the bill special order for 12 o'clock on Friday next ;

Mr. McAfee moved indefinite postponement ;

Which motion was lost, and Mr. Barr's motion was carried.

House joint resolution, to wait upon the Governor as to the transaction of other business than that for which he called the General Assembly together ;

Was read and laid on the table.

Messrs. Wise, Martin and Lambert were excused for the the balance of this day.

House bill to authorize Wash G. Cain to establish a ferry across the Tallapoosa river ;

Was read twice and referred to the committee on internal improvements ;

House bill, to authorize the publication of the laws of the State of Alabama ;

Was read twice ;

Mr. Barr moved to amend, ~~so~~ as to publish in “one or more loyal newspapers published in Montgomery ;”

Which motion was lost ;

On motion of Mr. Worthy, the bill was referred to select committee, and Messrs. Worthy, Barr and Whitney, were appointed said committee.

Senate bill, to legalize a certain election in Coffee county ;

Was read a third time and passed.

Mr. Whitney introduced a bill for the protection of bona fide purchasers for a valuable consideration ;

Which was read twice ;

Mr. McAfee moved to amend ;

Mr. Whitney moved to lay said amendment on the table ;

Which motion was lost ;

On motion of Mr. Pennington, the bill and amendment were laid on the table, and 150 copies ordered to be printed, and made special order for 12 o'clock on Tuesday next ;

Mr. Pennington from the joint committee on registration, reported two bills ;

Which were laid on the table, 150 copies of each ordered to be printed and made special order for 11 o'clock on Monday next.

Mr. McAfee reported favorably to the bill to amend sections 2377 and 2390 of the Revised Code ;

Which bill was read a third time and passed.

Mr. Worthy introduced a bill to encourage the investment of capital in the State of Alabama ;

Which was read twice and referred to the judiciary committee.

Mr. Foster introduced a bill to prevent damages to land owners in Washington county by overflow of water ;

Which was read twice and referred to the committee on grievances and disabilities.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the bill, to create a new county to be called the county of "Sanford";

Which bill was read a third time and passed—yeas 19, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, King, Lambert, Lentz, Mabry, Mahan, McAfee, Morton, Pennington, Royal, Sanford, Sevier, Sibley, Whitney, Worthy and Yordy—19.

Those who voted in the negative are, Messrs. Oliver—1.

Also, from the same committee, reported favorably to the bill to repeal an ordinance to abolish the county of Baine ;

Which bill was read a third time and passed—yeas 16, nays 1.

Those who voted in the affirmative are, Messrs. Bromberg, Foster, King, Lentz, Mabry, Mahan, McAfee, Morton, Pennington, Royal, Sanford, Sevier, Sibley, Whitney, Worthy and Yordy—16.

Those who voted in the negative are, Mr. Oliver—1.

Also, from the same committee, reported favorably to the bill to incorporate the town of Scottsboro, in Jackson county ;

Which bill was read the third time and passed.

Also, from the same committee, reported favorably to the bill to establish a ferry on the Tennessee river ;

Which bill was read a third time and passed.

Senate adjourned till 10 o'clock to-morrow morning.

SATURDAY, September 26, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.



## CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Sanford, to amend section seven of "An act to empower the Governor to appoint notaries public," approved August 11, 1868 ;

Which bill was read twice, amended, so as to apply to all municipal organizations in this State,

And read a third time and passed.

By Mr. Oliver, for the relief of Benjamin Boshell and Elizabeth Boshell, of Walker county ;

By Mr. King, for the relief of John C. Jolly, of Coffee county ;

By Mr. Pennington, to extend the time for making applications to open judgments ;

Concerning mortgages on real estate ;

By Mr. Bromberg, to regulate junk shops in Mobile ;

Which bills were severally read twice and referred to the judiciary committee ;

By Mr. Foster, joint resolution to elect a State printer on Tuesday next at 12 o'clock ;

Which was adopted ;

By Mr. Whitney, bill to repeal an act, approved December 18, 1860, amendatory of an act to locate the seat of justice of Jackson county, approved December 17, 1859 ;

Which bill was read three times forthwith and passed ;

By Mr. Whitney, for the relief of W. I. Kirk, of Jackson county ;

Which bill was read twice and referred to the committee on municipal and county organizations.

A message was received from the House as follows :

HOUSE OF REPRESENTATIVES, }  
September 26, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title :

To change the place of holding elections in district No. 15, in Jackson county ;

And also, concurred in the passage of Senate bill entitled an act to legalize the assessment of a county tax in the county of Greene for the year 1867 ;

And of its having originated and passed a bill of the following title :

To legalize the approval of the bonds of county officers by the judge of probate.

Very respectfully,

W. B. CLOUD, Clerk.

#### REPORTS OF STANDING COMMITTEES.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the bill—

To change the name of Jones county, formerly Covington, back to Covington ;

Which bill was read three times and passed.

Also, from the same committee, reported a bill to add a portion of Lee to the county of Russell ;

Which bill was read and laid on the table.

Mr. Foster, from the committee on accounts and claims, reported favorably to the bill—

For the relief of E. B. Lott, State tax collector of Mobile county,

Which bill was read a third time and passed.

Mr. McAfee, from the judiciary committee, reported adversely to the House bill—

To authorize the admission of parol evidence in certain cases ;

Which report was concurred in.

Mr. Martin was excused for the balance of this day on account of indisposition.

Mr. Worthy, from the select committee on internal improvements, reported adversely to the bill—

To establish in perpetuity a ferry on the Tallapoosa river ;

Which report was concurred in.

House bill to legalize the approval of bonds of county officers by the judges of probate ;

Was read twice and referred to the judiciary committee.

House bill to change the place of holding elections in district No. 15, in Jackson county ;

Was read three times and passed.

Mr. Worthy, from the select committee on internal improvements, reported adversely to the bill—

To amend section 1389 of the Revised Code of Alabama ;

Which report was concurred in.

Mr. Yordy offered the following resolution,

Which was adopted :

Whereas, the time for the assessment of taxes for 1868 has expired, and

Whereas, in some counties no taxes have been assessed for said year ; therefore,

*Resolved*, That the judiciary committee be instructed to ascertain what legislation is necessary to have said taxes assessed, and report by bill or otherwise.

Senate adjourned till 11 o'clock, Monday morning.

Monday, September 28, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of Saturday was read and approved.

At 11 o'clock, the special order came up, it being the bills reported by the joint committee on registration—

To provide for elections ;

To provide for the registration of electors and the government of elections in the State of Alabama.

The first was read twice.

On motion of Mr. Worthy,

The whole subject was postponed and made special order for 10 o'clock to-morrow morning.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
Sept. 28, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To amend sections 4, 5, 14 and 15 of an act in relation to the chancery courts in Alabama ;

And having passed Senate bill of the following title :

To legalize the election held in Coffee county, &c.

Respectfully,

WM. B. CLOUD, Clerk.

Senate joint resolution to clear the capitol building of liquor dealers and huxters, &c., as amended in the House, was laid on the table.

House bill to amend sections 4, 5, 14 and 15, of an act in relation to chancery courts in Alabama ;

Was read twice.

On motion of Mr. Worthy,

The bill was amended by putting Henry county in the same district with Barbour county.

As amended, the bill was read a third time and passed.

Mr. Bromberg presented a communication from the city of Mobile,

Which was read and referred to a select committee composed of Messrs. Bromberg, Worthy and Sevier.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported adversely to the House bill—

To legalize the approval of the bonds of county officers by the judges of probate ;

Which report was concurred in.

Also, from the same committee, reported adversely to bills—

For the relief Benjamin Boshell and Elizabeth Boshell, of Walker county ;

To extend the time for making applications to open judgments ;

Which reports were severally concurred in.

Also, from the same committee, reported adversely to the bill to regulate junk shops in the city of Mobile ;

Which report was not concurred in.

Bill was lost on its final passage.

Also, from the same committee, reported adversely to the bill for the relief of John C. Jolly, of Coffee county ;

Which report was not concurred in.

Bill was amended and ordered to a third reading.

Also, from the same committee, reported adversely to the bill to require probate judges to make certain entries on their criminal dockets ;

Which report was concurred in.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the bill for the relief of W. I. Kirk, of Jackson county ;

Which bill was read a third time and passed.

House bill to extend the time allowed by law for certain officers therein named to make and file their official bonds ;

Was read three times and passed.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
 Sept. 28, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To extend the time allowed by law for certain officers therein named to make and file their official bond ;

To amend an act to regulate the publication of legal notices ;

To amend section 2877 of the Revised Code ;

And has concurred in Senate amendment to House bill to facilitate the collection of taxes.

WM. B. CLOUD, Clerk of House.

Mr. McAfee introduced a bill to incorporate an Independent Detective company,

Which was read twice and referred to the judiciary committee.

The Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, Sept. 29, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Reading of the journal of yesterday was dispensed with.

On motion of Mr. Foster, the Senate reconsidered the vote by which it concurred in the adverse report on the House bill to legalize the approval of bonds of county officers by the judges of probate ;

Report was then not concurred in, and the bill recommit-  
 ted to the judiciary committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
 September 29, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the following Senate joint resolution :

To elect a State printer.

I am directed by the House to inform the Senate that the House is ready to proceed to the election of State printer.

WM. B. CLOUD, Clerk.

House bill to amend an act to regulate the publication of legal and other notices ;

Was read twice and referred to the committee on fees and salaries.

Special order came up, it being the bills relating to registration and elections in this State.

Mr. Foster offered a substitute.

At 12 o'clock, the Senate was invited into the Hall of the House of Representatives, to which it at once proceeded, when the two Houses in joint convention went into the election of State Printers.

Mr. Hart, of the House, nominated Messrs. J. G. Stokes & Co., of Montgomery, and the election resulted as follows :

Those who voted for Messrs. J. G. Stokes & Co., are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Johnston, King, Lambert, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Worthy and Yordy, of the Senate, and

Messrs. Armstrong, Ard, Alston, Attoway, Baker, Bell, Blandon, Brewington, Burton, Carraway, Chisholm, Cox, Daniel, Dereen, Diggs, Foster, Drawn, Emerson, Gregory, Green, Hardy, Harris, Hart, Holman, Houston, Inge, Jones of Tuskaloosa, Kendrick, Kennemere, Lewis, Lore, Mastin, Malone, McCally, Page, Quinn, Rice, Richardson, Ronayne, Rose, Sanford, Shaw, Speed, Simmons, Springfield, Smith, Stewart, Stubblefield, Taylor, of Chambers, Thompson, Tompkins, Tucker, Turner, Vanzandt, Weaver, White, Williams, Wilson, Woods, Yates, and Mr. Speaker—S3.

After which election,

The Senate then returned to its chamber.

Mr. McAfee moved to take up the special order set for 11 o'clock, it being the bill—

For the protection of *bona fide* purchasers for a valuable consideration.

The bill was postponed and made special order for 12 o'clock on Thursday next.

Mr. Yordy introduced a bill to repeal an act to incorporate the Tuscaloosa Scientific and Art Association ;

Which was read twice and referred to the judiciary committee.

Mr. Pennington moved to lay on the table Mr. Foster's substitute for the bill relating to registration and elections ;

Which motion was lost.

On motion of Mr. Worthy, Mr. Coon's bill of the July session was substituted—yeas 15, nays 9.

Those who voted in the affirmative are, Messrs. Johnston, King, Lambert, Lentz, Mabry, McAfee, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Whitney, Worthy and Yordy---15.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Mahan, Martin, Morton and Sibley---9.

Mr. Foster moved to have the bill printed, and made special order for 10 o'clock to-morrow morning ;

Which motion was lost.

Mr. Farden moved to substitute a certain printed bill of the House ;

Mr. Barr moved to lay the bill on the table ;

Which motion was lost---yeas 9, nays 14.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Mahan, Martin, Morton and Sibley---9.

Those who voted in the negative are, Messrs. King, Lambert, Lentz, Mabry, McAfee, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Whitney, Worthy and Yordy---14.

On motion of Mr. Barr the whole subject of registration was referred to a select committee, and Messrs. Barr, Foster, McAfee, Worthy and Yordy were appointed said committee, with instructions to report at 10 o'clock to-morrow morning.

Senate adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, September 30, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Vanzandt of the House.

Journal of yesterday was read, corrected and approved.

Mr. President presented a telegram from Washington city, from the joint committee of the two houses of the General Assembly, deputed to wait on the President, for troops ;

Which was read and sent to the House.

Mr. Bromberg, from the select committee, reported adversely to the resolutions of the city boards of Mobile ;

Which report was concurred in and the committee discharged.

CALL OF THE DISTRICTS.

On the call of the districts the following bills, &c., were introduced :

By Mr. Lambert, joint resolution for a joint committee in relation to notaries public ;

Which was adopted, and Messrs. Lambert and King were appointed the committee on the part of the Senate.

By Mr. Mabry, to incorporate the Co-operative Life Insurance Company of Eufaula ;

Which bill was read twice and referred to a select committee composed of Messrs. Farden, Bromberg and Sanford.

By Mr. Mabry, to amend an act to incorporate the Woodville Insurance Company ;

By Mr. Pennington, for the relief of Sarah A. Blalock, of Lee county ;

Which bills were severally read three times and passed.

By Mr. Sevier, to convey the remains of deceased members of the General Assembly to their homes or places of residence for interment ;

Which bill was read and ordered to a second reading.

By Mr. Worthy, to change the boundary line between the counties of Barbour and Bullock ;

Which bill was read twice and referred to the committee on municipal and county organizations.

By Mr. Pennington, to extend the time for opening judgments, and declaring certain judgments void ;

Which bill was read twice and referred to the judiciary committee.

Senate bill—

For the relief of John C. Jolly, of Coffee county ;

Was read a third time and passed.

Mr. McAfee, from the judiciary committee, reported adversely to the bill concerning mortgages on real estate ;

Which report was concurred in.

Mr. Barr, from the select committee, to whom was referred certain bills relating to registration, reported a bill,

Which was read three times and passed, and ordered forthwith to the House.

Mr. Oliver excused for the balance of the day on account of indisposition.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
September 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title :



A bill in relation to matters of education in Mobile city and county.  
W. B. CLOUD, Clerk.

House bill—

In relation to education in Mobile city and county ;

Was read twice and referred to the committee on education.

House bill, to amend section 2877 of the Revised Code ;

Was read twice.

Mr. Mabry offered the following amendment :

*Provided*, That this act shall not be so construed as to affect existing judgment liens, and liens created by mortgages and deeds of trust ;

Which, with the bill, was referred to the judiciary committee.

Mr. Pennington introduced a bill to establish a mutual aid association, and to raise funds for the benefit of the common school system of Alabama ;

Which was read ;

Mr. Bromberg moved indefinite postponement ;

Pending which motion,

Senate adjourned till 4 P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

Question recurred on the motion of Mr. Bromberg to indefinitely postpone the bill to establish a mutual aid association, and to raise funds for the common school system of Alabama ;

Which motion was lost—yeas 11, nays 13.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Lambert, Lentz, Mahan, McAfee, Richards, Sanford, Sevier, Worthy and Yordy—11.

Those who voted in the negative are, Messrs. Barr, Farden, Foster, Johnston, King, Mabry, Martin, Morton, Pennington, Royal, Sibley, Whitney and Wyman—13.

Mr. Barr introduced a bill relating to elections ;

Which was read twice and referred to the select committee on registration and elections.

Mr. Barr, from the committee on fees and salaries, reported favorably to House bill to amend an act to regulate the publication of legal and other notices ;

Which was read, and

On motion of Mr. Pennington, was laid on the table, and 150 copies ordered to be printed.

House bill to legalize the acts, contracts, suits and transac-

tions to which Quintus P. Silver, a minor of Pike county, may hereafter be a party,

Was read three times and passed.

Mr. Yordy introduced a bill to extend the time for assessing the taxes of Greene county for the year 1868 ;

Which was read three times and passed.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, October 1, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Message from the House, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
October 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To establish a new charter for the city of Selma ;

For the protection of the State of Alabama for certain school lands that have or may hereafter be sold ;

For the relief of Lucinda Bellinger, of Bibb county ;

For the relief of Thomas Jackson of Elmore county.

WM. B. CLOUD, Clerk.

#### REPORT OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported adversely to the House bill to amend section 2877 of the Revised Code ;

Which report was concurred in.

Also, from the same committee, reported adversely to the bill—

To repeal section 4231 of the Revised Code ;

Which report was not concurred in.

Bill was read a third time and passed.

Also, from the same committee, reported favorably to the bill—

To repeal an act to incorporate the Tuscaloosa Scientific and Art Association.

On motion of Mr. Foster, the bill was laid on the table.

Also, from the same committee, reported favorably, with amendment, to the bill—

To incorporate an independent detective company ;

Which bill, on motion of Mr. Bromberg, was laid on the table, and 150 copies ordered to be printed.

Mr. Sanford, from the committee on municipal and county organizations, reported adversely to the bill—

To change the boundary line between the counties of Bullock and Barbour.

Mr. Whitney, from the committee on education, reported favorably, with amendment, to the House bill—

In relation to matters of education in the city and county of Mobile ;

Which bill was recommitted to same committee.

Mr. Pennington introduced a bill—

For the relief of McClung & Jacques,

Which was read and laid on the table.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
October 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that the House has originated and passed bill of the following title :

To amend section 4343, chapter 14, title 3, part 5, of the Revised Code of Alabama ;

And passed the Senate bill to extend the time for assessing the taxes in the county of Greene for the year 1868.

WM. B. CLOUD, Clerk.

Senate bill for the protection of bona fide purchasers for a valuable consideration,

Was made special order for 10 o'clock to-morrow morning.

Senate adjourned till 4 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

Senate bill to establish a mutual aid association and to raise funds for the benefit of the common school system of Alabama ;

Was read a second time.

Mr. Sanford moved to amend, as follows :

That any three or more persons who wish to avail themselves of the benefits of this act, shall have the right thereto, by applying to the judge of the probate court of their county or counties, and complying with the requirements of this act ;

Which amendment, on motion of Mr. Foster, was laid on the table. Yeas 11, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Lentz, Mabry, Morton, Pennington, Royal and Whitney—11.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, Oliver, Richards, Sanford, Sevier, Sibley and Yordy—9.

Bill was ordered to a second reading.

House bill to establish a new charter for the city of Selma,

Was read twice and referred to the committee on municipal and county organizations.

A message was received from the House, as follows

HOUSE OF REPRESENTATIVES, }  
October 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having amended and passed the following Senate bill :

To provide for the registration of electors.

WM. B. CLOUD,  
Clerk of House.

Which bill was taken up, and the amendments of the House concurred in.

Senate adjourned till 10 o'clock to-morrow morning.

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FRIDAY, October 2, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Special order came up, it being the bill—

For the protection of bona fide purchasers for a valuable consideration.

Message from the House, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 October 2, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill with the following title, to-wit :

To protect laborers.

WM. B. CLOUD,  
 Clerk of House.

Pending consideration of amendment to bona fide purchaser's bill,

Senate then adjourned till 4 P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Question recurred on the amendment to the bill—

For the protection of bona fide purchasers for valuable consideration.

On motion of Mr. Whitney,

The amendment was laid on the table—yeas 12, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Lentz, Martin, Morton, Pennington, Richards, Royal, Sanford and Whitney—12.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, McAfee, Oliver, Sevier, Sibley, Wyman and Yordy—9.

Mr. Whitney moved the previous question.

Mr. Bromberg appealed from the decision of the chair, namely, that a previous question could be called for and sustained.

Senate refused to sustain the decision of the chair—yeas 7,

Those who voted in the affirmative are, Messrs. Barr, Foster, Johnston, Martin, Morton, Pennington and Whitney.

Those who voted in the negative, are Messrs. Bromberg, Farden, Lambert, Lentz, Mahan, McAfee, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Wyman and Yordy—14.

Mr. McAfee moved to amend as follows :

Provided, further, that this act shall not operate or take effect against judgments on which a *fi. fa.* or *fi. fas.* has been issued and placed in the hands of sheriffs for execution before the convention of the present session of the Legislature.

Pending its consideration,

Senate adjourned till 10 o'clock to-morrow morning.

SATURDAY, October 3, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Special order came up, it being the bill—

For the protection of bona fide purchasers for a valuable consideration ;

The question recurring on Mr. McAfee's amendment offered yesterday,

Said amendment, on motion of Mr. Whitney, was laid on the table—yeas 11, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Lentz, Martin Morton, Pennington, Richards, Royal and Whitney—11.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, McAfee, Oliver, Sanford, Sevier, Sibley, Wyman and Yordy—10.

Mr. Sevier offered the following amendment :

Provided, that the said acts and parts of acts hereinabove referred to are continued in full force and effect as to liens on all lands lying in the counties in which the said judgments were rendered, or are of record, and as to all purchasers who at the time said judgments were rendered, or were of record, resided in the counties in which said judgments were rendered.

Mr. Whitney moved to lay said amendment on the table, which motion was lost—yeas 4, nays 13.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Martin, Morton, Pennington, and Whitney—8.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Lentz, Mahan, McAfee, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Wyman and Yordy—13.

Mr. Whitney offered the following substitute for Mr. Sevier's amendment ;

Which was adopted—yeas 16, nays 5.

The provisions of this act shall not apply to cases where the judgments were recorded in the office of probate judge of the county where the property was situated ; neither shall it apply to judgments rendered prior to January 1st, 1861.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Lambert, Lentz, Martin, Morton, Pennington, Richards, Royal, Sanford, Sibley, Whitney, Wyman and Yordy—16.

Those who voted in the negative are, Messrs. Bromberg, Mahan, McAfee, Oliver and Sevier—5.

Mr. McAfee moved to amend the 50th line, by adding the words, "without notice," after the word "consideration";

Which amendment, on motion of Mr. Pennington, was laid on the table—yeas 15, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Lentz, Martin, Morton, Pennington, Richards, Royal, Sanford, Sibley, Whitney Wyman and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Mahan, McAfee, Oliver and Sevier—5.

Mr. Sevier offered the following amendment: *Provided, further,* That the provisions of this act shall not apply to liens upon real estate, the consideration for the purchase of which was Confederate States money;

Which amendment, on motion of Mr. Pennington, Was laid on the table.

The bill was ordered to a third reading—yeas 15, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, Lentz, Martin, Morton, Pennington, Richards, Royal, Sanford, Sibley, Whitney, Wyman and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, McAfee, Oliver and Sevier—6.

Message from the House, as follows:

HOUSE OF REPRESENTATIVES, }  
October 3, 1868. }

*Mr. President:*

I am instructed by the House to inform the Senate of its having originated and passed a bill to amend section 2339 of the Revised Code of Alabama.

Very respectfully,

W. B. CLOUD, Clerk.

Mr. McAfee asked leave, which was granted him, to have the following protest spread upon the journal of the Senate:

PROTEST OF G. T. MCAFEE, OF TENTH SENATORIAL DISTRICT.

A bill to be entitled an act for the protection of bona fide purchasers for valuable consideration, in the Senate of the State of Alabama, Oct. 1, 1868,

I object to the passage of the bill for reasons as follows, to wit :

1. The proposition contained in the bill is repugnant to the constitution of the United States, and if it becomes a law it is null and void.—[Art. 1, S. 10, Con. U. S. ; Art. 1, S. 24, Con. Ala. ; 1 Kent, 9th Ed. 500.

2. It is in the power of the judiciary to declare it void.—[Ib. 501, 502.

3. It is only by the free exercise of this power that courts of justice are enabled to repeal assaults and protect every part of the government and every member of the community from *undue and destructive innovations* upon the chartered rights.—[Ib. 1.

4. It belongs to the judicial power by a matter of right and duty to declare every act of the legislature made in violation of the constitution, or of any provision of it, *null and void*.—[3d Art. Con. Ala., 1 Kent 503, note (a) (1) ; Acts Pa. and S. C. ; No. Car., notes a. b. and c.

And the powers of the legislature are defined and limited by a written constitution, but to what purpose is that limitation if those limits may at any time be passed.—[1 Kent, 505, near foot of the page.

*When a statute takes effect.*

A statute when duly made, takes effect from its date, when no time is fixed, and this now is the settled rule.—[Ib. 507 ; *Monkwith v. Hayward* ; 2 Howard U. S. p. 613, note 1.

It cannot be admitted that a statute shall, by any fiction, have any effect before it was actually passed. A retroactive statute would partake in its character of the mischiefs of the *ex-post facto law*, as to all cases of *crimes and penalties*, and in every other case relating to *contracts or property*, it would be against every sound principle.—[Ib. 508, at top of page.

It would come within the reach of the doctrine, that a statute is not to have a retrospective effect, and which doctrine was very much discussed in the case *Dash v. Vancleek*, referring to 7 Johns. Rep. 477.

And shown to be founded not only on English law, but on the principle of general jurisprudence, referring to note 1, Kent, 508.

No statute is to have a retrospect beyond time of its commencement.—[Bacon's Abt. vol. 6, 307 ; 7 Johns. 393.

It is said, it is repugnant to the first principle of justice, and the *equal and permanent security of rights* to take by law the property of one individual, without his consent and give it to another.—[7 Johns. Rep. side page, 494.



The principle contended for by the friends of the bill before this honorable body inevitably leads to and sanctions such a doctrine.—[7 Johns. 494.

For if plaintiffs can be deprived of their remedy, already *vested* by and under the sanctions of the legislature, (by the acts of 1861, 1863, 1866 and 1867 sought to be repealed); with equal propriety, might they be compelled to refund the money. Blackstone in his commentaries treats it as a *first principle*.—*All laws* are to commence in future, and operate prospectively.—[7 Johns. 493 ; 1 Com. 449.

After referring to the unjust and iniquitous practice of the Roman Emperor (Caligula) as to the manner of ruling and publishing his laws, he observes that there is still a more unreasonable method than this, which is called making laws *ex-post facto*, although technically speaking, the term *ex-post facto* may be applicable to laws punishing criminal offenses, the principle is equally applicable to *civil cases*.—[Com. Blackston 501.e

An act of the legislature ought never to be construed so as to do injustice. Lord Coke lays down the rule to be, that acts of Parliament ought to be so construed as that no man who is innocent, or free from injury, shall by a literal interpretation, be punished or endangered.—[Ib. 501 ; Coke v. Littleton, 360 (a) 7 Johns. 502.

*Stay Laws*.—The laws in force when a right vests, enters into and forms a binding part of the contract between parties thereto.—[Smith's Com. bottom of page 393 ; Ib. 389.

In the case before the Senate, as to and by virtue of the provisions of the acts 1861 *especially*, and 1863 and 1866 and 1867, in consideration of the remedies suspended, which plaintiffs had and held under laws in force before the enactment of laws above referred to, to collect their moneys due by judgments, the State bound itself to, and did grant security by giving plaintiffs *liens* on all the property and estate of the defendants, in consideration of the stay of judgments and executions thereon.—[Acts Ala. of 1861, 1863, 1866 and 1867.

Laws generally are *prospective* and not *retrospective*.—[8th Ga. Rep. 31 and 32 ; N. H. Rep. 214.

*Quo-ad remedies*.—*The legislature may regulate remedies*.—[Bronson v. Ainsey, 1 Howard 315 ; and Ib. 316, at top of p.

Whatever belongs *merely* to the *remedy*, may be altered, according to the will of the State, *provided* the alteration does not *impair* the *obligation* of the contract, but if that effect is produced, *it is immaterial* whether it is done by acting on the

*remedy* directly on the *contract itself*.—[1 Howard 316, entire page 31 ; 2 Howard, 612 and 613.

*Liens created*.—Acts of Alabama *quo-ad* 1861, Section 5. No execution shall issue.—1861 p. 33; 1863 p. 55.

In section 6 of acts, lien forfeited, if plaintiff refuses Confederate money. Acts of 7th Dec. 1866, opening trial unconstitutional.—1861 ; S. 6 ; Acts 1866.

Acts of 1867, declaratory and does not affect *lien* of act of 1861. Approved, Dec. 10, 1861.—[p. 33, S. 1 ; Curry v. Sanders, 35 Ala. 280 ; Darling v. Black, 28 Ala. 328 ; Iverson v. Shorter, 9 Ala. 713 ; Also, 3 Ala.

In all cases, wherein a change in the laws hath taken place, cited and relied upon by the friends of the bill, now before us, the parties could, after the statutes were passed conform to the law and preserve their liens. None of the above cases and laws operate backward, and hence no liens were destroyed by time.

Under the bill before this honorable body, no diligence can preserve the liens. They are swept away by an edict of legislation ; *relentless, universal*, and in the face of the settled elementary law, and in the face of the settled elementary and adjudicated law enunciated by the brightest intellects which have, and do adorn *English, American and civil* law ; universal in its permeation, through the rights of all *creditors*, whether as *femme covert*, idiots, lunatics and persons of all grades and degrees, *non compos mentis*, heirs, distributees, and devisee, of the patrimony, of affectionate parents and ancestry, and the helpless as well as the independent of all grades, and relations of human society.

I protest against the passage of this bill, for the causes as set forth hereinafter—because

1. It is against all well settled statute and common law, which is now and has been in force time out of mind.

2. It is repugnant to the rights of creditors.

3. It is contrary to the spirit of the legislators who enacted the statute of December 10, 1861, and of 1863, 1866, and 1867.

4. It is against justice, reason and law.

5. It is against the 10th section 1st article of the constitution of the United States.

6. It is repugnant and contrary to the constitution of the State of Alabama, article 1st, section 24.

7. It is against the rights of all persons.

8. It is against public policy.

9. It is wrong to take the property of one person and give

it to another; it being also and at the same time against the law.

10. It is trenching on the judicial functions of the *judiciary* and therefore unjustifiable on the part of this honorable body, whose functions are *legislative* purely.

11. Because it forcibly *implies*, either a want of principle or a competent knowledge of the legitimate functions and duties of this body in assuming to discharge judicial functions in the premises.

Respectfully submitted by

G. T. McAFEE, Senator.

for the 10th Senatorial District, composed of the counties of Talladega and Clay.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the House bill to establish a new charter for the city of Selma;

Which report was adopted;

Mr. Sanford moved to strike out "poll tax";

Also, moved to amend section 31, by striking out "twenty-five," and by inserting "twelve and a half;"

Which motion was carried.

Mr. Sanford moved to amend section 49;

Bill was laid over till Monday next.

Senate adjourned till 10 o'clock Monday morning.

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MONDAY, October 5, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills and joint resolutions were introduced :

By Mr. Sevier, to repeal section 7 of an act therein named :

By Mr. Pennington, to incorporate the town of Tuskegee ;

By Mr. Mabry, to authorize the court of county commissioners of Barbour county, to issue bonds for county purposes;

By Mr. Foster, for the relief of Martha Ann Duke, of Washington county ;

Which bills were severally read three times and passed.

By Mr. Sevier, to amend section 49 of the Revised Code of Alabama ;

Which bill was read twice and referred to the committee on fees and salaries ;

By Mr. Lambert, for the relief of W. J. Maxwell, of Montgomery county ;

By Mr. Pennington, for the relief of Rebecca A. Finch, of Lee county ;

By Mr. Foster, to repeal section 11 of the ordinance for the relief of insolvent debtors, passed December 6, 1867, by the late State Convention ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Pennington, to re-enact the several ordinances adopted by the Convention that framed the present Constitution of the State of Alabama ;

Which bill was read twice and referred to a select committee, composed of Messrs. Sevier, Lambert and Foster.

By Mr. Pennington, joint resolution to alter and amend the Constitution of Alabama ;

Which was read twice.

Mr. Sanford offered an amendment ;

Mr. Mabry offered an amendment.

Resolution and amendments were referred to the judiciary committee.

By Mr. Royal, to establish a work-house in Bullock county ;

Which was read twice.

On motion of Mr. Whitney the 6th section was stricken out.

Mr. Jones offered the following amendment,

Which was adopted :

That Marengo county come under the provisions of said act, and that the work-house be established in the city of Demopolis, for Marengo county.

On motion of Mr. Farden, section 3 was stricken out.

On motion of Mr. Pennington, the bill was laid on the table.

By Mr. McAfee, joint resolutions suspending sections 2, 3, and 4 of article 12, industrial resources, Revised Constitution of Alabama, 5th November, 1867, and for other purposes ;

Which was read twice.

Mr. Barr moved to lay them on the table ;

Which motion was lost—yeas 3, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Farden, Lentz, Martin, Morton, Oliver, Pennington and Royal—8.

Those who voted in the negative are, Messrs. Foster, Jones, King, Mabry, Mahan, McAfee, Richards, Sanford, Sevier, Sibley and Yordy—12.

Resolutions were ordered to a third reading.

By Mr. Mabry, to secure the right of appeal to the supreme court of Alabama from decisions of circuit judges, on application for mandamus, quo warranto and other remedies ;

Which bill was read twice and referred to a select committee, composed of Messrs. Farden, Yordy and Lentz.

By Mr. Jones, to increase the pay of the county commissioners of Marengo county ;

Which bill was read twice ;

Amended to apply to Choctaw county, and referred to the committee on fees and salaries.

A message was received from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 5, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill—

To amend 4062 and 4063 of the Revised Code.

W. B. CLOUD, Clerk of House.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill to be entitled :

An act to provide for the registration of electors.

D. L. DALTON, private secretary.

Mr. McAfee introduced a joint resolution relating to the committee appointed to visit the deaf, dumb and blind institutions of this State ;

Which was read and laid on the table.

House bill to amend an act to regulate the publication of legal and other notices ;

Was taken up ;

Mr. Mabry moved to strike out the proviso in the 185th line, on page 9 ;

Which motion was lost.

Bill was read a third time and passed.

Yeas 19, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Lambert, Lentz, Mahan, McAfee, Martin, Morton, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Whitney and Yordy—19.

Those who voted in the negative are, Messrs. Jones, Mabry and Pennington—3.

Mr. Barr, from the select committee, reported a bill to regulate certain elections to be held in this State on the 3d day of November, 1868 ;

Which was read twice, laid on the table, 150 copies ordered to be printed, and made special order for 11 o'clock to-morrow.

Mr. Farden offered joint resolutions asking a report from the joint committee appointed to visit Washington city ;

Which were read and laid on the table.

Senate concurred in the amendment of the House to the Senate bill to legalize the assessment of taxes in Greene county for 1868.

Senate bill, to establish a mutual aid association, and to raise funds for the benefit of the common school system of Alabama ;

Was read a third time and passed ;

Yeas 12, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Mabry, Martin, Morton, Pennington, Royal, Sibley and Worthy—12.

Those who voted in the negative are, Messrs. Lambert, Mahan, McAfee, Oliver, Richards, Sanford, Sevier and Yordy—8.

Leave of absence was granted to Messrs. Wyman and Barr. Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, October 6, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Whitney rose to a question of privilege as to a personal article with regard to himself in the "Montgomery Mail," of this morning, and he denounced the article and the author a lie and a liar.

Mr. Oliver introduced a bill—

To amend an act to continue in force certain laws, approved July 29, 1868 ;

Which was read three times and passed.

Mr. Whitney offered the following resolution ;

Which was afterwards withdrawn :

*Resolved*, That Mr. Fannin, reporter for the "Montgomery Mail," be expelled from the privilege and courtesy of the Senate of the State of Alabama, as such reporter.

Message from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has this day approved and signed a bill to be entitled an act to legalize an election held in Coffee county.

D. L. DALTON, private secretary.

Mr. Foster introduced a bill—

To provide a clerk in the office of the Superintendent of Public Instruction ;

Which was read twice and laid on the table.

#### REPORTS OF STANDING COMMITTEES.

Mr. Barr, from the committee on fees and salaries, reported favorably to the bill—

To amend section 49 of the Revised Code of Alabama ;

Mr. Oliver moved to lay the bill on the table ;

Which motion was lost ;

Mr. Jones moved to strike out “ \$S,” and insert “ \$10 ;”

Which motion was lost—yeas 5, nays 16.

Those who voted in the affirmative are, Messrs. Farden, Jones, Martin, Morton and Sibley—5.

Those who voted in the negative are, Messrs. Foster, Johnston, King, Lambert, Lentz, Mabry, Mahan, McAfee, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Whitney and Yordy—13.

Mr. Foster moved to strike out “ \$12,” and insert “ \$10,” for the pay of President of Senate and Speaker of House of Representatives ;

Which motion, on motion of Mr. Whitney,

Was laid on the table.

Bill was read a third time and passed—yeas 13, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Farden, Johnston, Lentz, Mabry, Martin, Morton, Pennington, Richards, Royal, Sevier, Sibley, and Whitney—13.

Those who voted in the negative are, Messrs. Foster, Jones, King, Lambert, Mahan, McAfee, Sanford, Wise and Yordy—9.

Mr. Pennington introduced a bill—

To declare Mrs. Elizabeth G. Read a free dealer ;

Which was read three times forthwith and passed.

Mr. Whitney, from the committee on education, reported favorably, with an amendment to the House bill—

In relation to educational matters in the city and county of Mobile ;

Which amendment was adopted,

And the bill read a third time and passed, and ordered forthwith to the House.

Mr. Farden introduced a bill —

To amend section 55 of Revised Code of Alabama ;

Which bill was read twice.

It was amended to apply to the next session, and read a third time and passed.

Leave of absence was granted to Mr. McAfee after this day.

House bill to establish a new charter for the city of Selma ;

Was taken up.

On motion of Mr. Sanford, section 49 was stricken out.

On motion of Mr. Farden, a substitute was adopted for section 49.

Bill as amended, was read a third time and passed.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
October 6, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed a bill of the following title :

To authorize the issue of county bonds.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

Bill to regulate certain elections to be held in this State, on the 3d day of November, 1868,

Was considered section by section.

On motion of Mr. Pennington,

Section 2 was amended by striking out the words : “ and for Representatives in the Congress of the United States.”

On motion of Mr. Sibley,

The 3d section was amended, in the 5th line, by substituting, “ Electors of President and Vice President of the United States,” for the words, “ Representatives in Congress.”

On motion of Mr. Sanford,

The 3d section was amended by substituting the words, “ the duty of,” for the word “ lawful,” in the 1st line.

Mr. Jones moved to amend the 4th section by requiring the



probate judges to designate "not less than eight voting places ;"

Which motion, on motion of Mr. Pennington, was laid on the table.

Mr. Sevier moved to amend the 4th section by inserting, "usual number of voting places."

Mr. Oliver moved to amend so that the polls shall be opened at "each election precinct ;"

Which amendment was laid on the table—yeas 16, nays 4.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Lambert, Lentz, McAfee, Martin, Pennington, Richards, Sanford, Sevier, Sibley, Whitney and Yordy—16.

Those who voted in the negative are, Messrs. Jones, Mabry, Mahan, and Oliver—4.

Mr. Farden moved to amend so as to read, "as many as may be necessary ;"

Which amendment, on motion of Mr. Foster, was laid on the table.

Mr. Mabry moved to amend as follows: "each precinct of Barbour county ;"

Which amendment was laid on the table.

Mr. Farden moved to amend,

Which amendment was laid on the table.

Mr. Mabry moved to amend the 6th section by striking out the word "imprisonment ;"

Which motion was lost.

Mr. Farden moved to amend the 4th line of 6th section, so as to read "one" instead of "two" (witnesses) ;

Which motion, on motion of Mr. Pennington, was laid on the table.

Mr. Sanford offered an additional section,

Which was ruled out of order.

Bill as a whole was then adopted, read a third time and passed—yeas 20, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Lambert, Lentz, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney and Yordy—20.

Those who voted in the negative are, Messrs. Jones, Mabry and Worthy—3.

Mr. Barr introduced a bill—

To amend section 3 of "an ordinance of the constitutional convention concerning the election for the ratification of the

constitution, and for State and county officers and members of Congress ;

Which was read twice, and referred to a special committee composed of Messrs. Pennington, Worthy, Farden, Foster and Sanford.

Senate adjourned till 9 o'clock to-morrow morning.

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SENATE CHAMBER, }  
Wednesday, Oct. 7, 1868. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Worthy was granted leave to record his vote against the passage of the Election bill.

Mr. Bromberg offered the following resolution :

*Resolved*, That the House of Representatives be requested to return to the Senate the House bill entitled "an act in relation to educational matters in the city and county of Mobile" ;

Which resolution was not adopted—yeas 10, nays 11.

Those who voted in the affirmative are, Messrs. Bromberg, Jones, King, Lambert, Mabry, Oliver, Sevier, Sibley, Worthy, and Yordy—10.

Those who voted in the negative are, Messrs. Farden, Foster, Johnston, Lentz, Mahan, Martin, Morton, Richards, Royal, Sanford and Whitney—11.

#### REPORTS OF STANDING COMMITTEES.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bill—

To prevent damages to land owners in Washington county from overflow of water ;

Which bill was read a third time and passed.

Mr. Pennington, from the judiciary committee, reported favorably, with amendments, to the bill—

To repeal section 11 of the ordinance for the relief of insolvent debtors, passed December 6, 1867, by the late State Convention, and to revive the exemptions in the Revised Code ;

Which amendments were adopted and the bill, as amended, read a third time and passed—yeas 17, nays none.

Those who voted in the affirmative are—Messrs. Farden, Foster, Johnston, Jones, King, Lentz, Mabry, Mahan, Martin,

Pennington, Richards, Royal, Sanford, Sibley, Whitney, Worthy and Yordy—17.

Mr. Lambert was excused from voting.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
Oct. 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To make an appropriation for educational purposes in the State of Alabama ;

To allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent on the State tax.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
October 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed the following Senate bills :

To repeal an ordinance to abolish the new county called the county of Baine, formed by the General Assembly of 1866 and 1867 ;

To amend section 7 of an act to empower the Governor to appoint notaries public, approved, August 11, 1868.

Very respectfully, W. B. CLOUD,  
Clerk of the House.

Mr. Jones introduced a bill to extend the corporate limits of the city of Demopolis ;

Which was read three times and passed.

Mr. Foster introduced a bill to secure certain land script of the United States ;

Which was read three times and passed.

Mr. Farden, from the committee on internal improvements, reported favorably to the House bill to authorize Wash G. Cain to establish a ferry on the Tallapoosa river ;

Mr. Yordy moved to substitute "Fannie Griffin" for "Wash G. Cain," and to strike out "section 2" and insert "section 1 ;"

On motion of Mr. Whitney, the bill and amendment were indefinitely postponed.

Mr. Farden, from the judiciary committee, reported favorably to the House bill to legalize the approval of bonds of county officers by judges of probate ;

Mr. Worthy moved to amend as follows: *Provided*, That in every instance where an insufficient bond has been approved by any such judge of probate, said judge shall be liable upon his official bond for approving such insufficient bond ;

Senate refused to lay said amendment on the table—yeas 10, nays 11.

Those who voted in the affirmative are, Messrs. Farden, Foster, King, Lentz, Martin, Morton, Pennington, Sanford, Sibley and Whitney—10.

Those who voted in the negative are, Messrs. Bromberg, Jones, Lambert, Mabry, Mahan, Oliver, Richards, Royal, Sevier, Worthy and Yordy—11.

Said amendment was lost—yeas 7, nays 14.

Those who voted in the affirmative are, Messrs. Bromberg, Jones, Lambert, Mabry, Oliver, Sevier and Worthy—7.

Those who voted in the negative are, Messrs. Farden, Foster, King, Lentz, Mahan, Martin, Pennington, Richards, Royal, Sanford, Sibley, Whitney and Yordy—14.

Mr. Jones moved to exempt Marengo county from the provisions of the act ;

Mr. Sevier moved to exempt Franklin and Lawrence counties ;

On motion of Mr. Farden, said amendments were laid on on the table ;

Mr. Jones moved indefinite postponement of the bill ;

Which motion was lost—yeas 4, nays 17.

Those who voted in the affirmative are, Messrs. Jones, Mabry, Sevier and Worthy—4.

Those who voted in the negative are, Messrs. Bromberg, Farden, Foster, King, Lambert, Lentz, Mahan, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sibley, Whitney and Yordy—17.

Bill was read a third time and passed.—yeas 15, nays 6.

Those who voted in the affirmative are, Messrs. Farden, Foster, King, Lambert, Lentz, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sibley, Whitney and Yordy—16.

Those who voted in the negative are, Messrs. Bromberg, Jones, Mabry, Mahan, Sevier and Worthy—6.

Mr. Worthy, from the committee on internal improvements, reported favorably to the bill to authorize certain counties to subscribe to the capital stock of the Savannah and Memphis railroad company, and for other purposes ;

Mr. Oliver moved to amend, as follows :

*Provided*, That those who vote against the first subscription shall be exempt from the payment of the tax ;

Which amendment, on motion of Mr. Pennington,  
Was laid on the table.

The bill was ordered to a third reading.

Mr. Royal introduced a bill —

To authorize the court of county commissioners of Bullock county, to issue bonds for county purposes ;

Which was read three times and passed.

Mr. Sibley introduced a bill to amend section 4092 of the Revised Code ;

Which was read twice and referred to the committee on privileges and elections.

Mr. Barr, from the committee on fees and salaries, reported favorably to the bill—

To increase the pay of the county commissioners of Marengo and Choctaw counties ;

Which bill was read a third time and passed.

House bills—

To allow the court of county commissioners of Wilcox county, to levy a tax greater than fifty per cent. on the State tax ;

To repeal an act to amend the road laws in Mobile ;

To incorporate the town of Troy, in Pike county, &c. ;

Were severally read three times and passed.

Mr. Whitney, from the select committee, reported favorably to the House bill to authorize the publication of the laws of the State of Alabama ;

Which bill was made special order for 10 o'clock to-morrow.

Mr. Farden, from the select committee, reported favorably, with amendments to the bill to secure the right of appeal to the supreme court of Alabama from decisions of circuit judges for mandamus, quo warranto and other remedies ;

Which amendment was adopted,

And the bill read a third time and passed.

Mr. Foster introduced bills—

To extend the time for opening judgments and to grant new trials ;

For the protection of married women and minors ;

Which bills were read twice and referred to the judiciary committee.

House bill to authorize the court of county commissioners of Walker county to issue treasury notes or bonds for the purpose of building a new court house and completing the jail ;

Was read three times and passed.

House bill making appropriations for educational purposes in the State of Alabama ;

Was read twice ;

Mr. Worthy moved to amend, so as to pay teachers for 1866 and 1867 ;

Bill and amendment were referred to the committee on education.

House bill to authorize the issue of county bonds, &c. ;

Was read three times and passed.

Mr. Whitney introduced a bill to amend an act to establish revenue laws for the State of Alabama ;

Which was read twice and referred to the judiciary committee.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
October 3, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

To incorporate the town of Tuskegee, and for other purposes ;

To form a new county to be called the county of Sanford ;

To authorize the court of county commissioners of Barbour county to issue bonds for county purposes ;

And has originated and passed the following bills :

To authorize the commissioners court of Walker county to issue treasury notes or bonds for the purpose of building a new court house, &c. ;

To amend an act to amend the road laws of Mobile ;

For the protection of agricultural laborers ;

To incorporate Troy in the county of Pike, and to authorize the corporate authorities to levy and collect a tax to pay for stock ;

They are authorized to subscribe in the Mobile and Girard railroad ;

For the relief of E. B. Lott of Mobile county ;

And has, also, concurred in the passage of the Senate bills of the following titles :

To be entitled an act to establish a mutual aid association ;

And to raise funds for the benefit of the common school system of Alabama ;

As to the pay of the President *pro tem.* of the Senate.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, October 8, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. Sibley, from the committee on education, reported favorably, with amendment, to the House bill making appropriations for the schools in the State of Alabama ;

Bill read a third time and passed.

Special order came up, it being the House bill, to provide for the publication of the laws of the State of Alabama ;

Mr. Mabry moved to lay the bill on the table ;

Which motion was lost ;

Mr. Worthy moved to amend, as follows :

Striking out the words "loyal newspaper," in 1st section, and insert "some newspaper published at Montgomery, to be selected by the Governor ;"

Which amendment, on motion of Mr. Foster,

Was laid on the table.

Mr. Worthy moved to amend as follows :

Provided, that no greater sum shall be expended in the publication of those laws than \$1,500 ;

Which amendment was laid on the table—yeas 16, nays 4.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Foster, King, Lambert, Lentz, Martin, Morton, Oliver, Pennington, Richards, Sanford, Sibley, Whitney and Yordy---16.

Those who voted in the negative are, Messrs. Jones, Mabry, Mahan and Worthy—4.

Bill was read a third time and passed—yeas 14, nays 6.

Those who voted in the affirmative are, Messrs. Bromberg,

Farden, Foster, King, Lentz, Morton, Oliver, Pennington, Richards, Sanford, Sibley and Whitney—14.

Those who voted in the negative are, Messrs. Jones, Mabry, Sevier, Worthy and Yordy---6.

Mr. Sibley, from the committee on privileges and elections, reported adversely to the bill—

To amend section 4094 of the Revised Code, and for other purposes ;

Which bill was ordered to a third reading.

House joint resolution—

Providing for adjournment *sine die* at 6 P. M. Saturday next, was taken up.

Mr. Foster moved to amend as follows :

Provided, the election law shall have been passed before that hour ;

Which amendment, on motion of Mr. Oliver, was laid on table.

Joint resolution was concurred in.

The following message was received from the Governor :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills to be entitled as follows :

An act to amend section 7 of an act to empower the Governor to appoint notaries public, approved August 11, 1868 ;

To form a new county to be called the county of Sanford ;

To legalize the assessment of a county tax in the county of Greene for the year 1867 ;

To extend the time for assessing the taxes in the counties of Greene, Cherokee, Dallas, St. Clair and Jackson ;

To authorize the court of county commissioners of Barbour county to levy a tax for county purposes.

Very respectfully,

D. L. DALTON, Private Secretary.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
October 8, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

For the relief of John S. Tate, as administrator of Joseph Hough, deceased ;



To amend an act to incorporate the Stafford mills, approved February 19, 1867 ;

To regulate elections in this State ;

And has passed Senate bills—

To extend the corporate limits of the city of Demopolis ;

To increase the pay of the county commissioners of Maingo and Choctaw counties ;

And of its having originated and adopted—

Joint resolution in relation to adjournment.

Respectfully,

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
October 8, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bill of the following title :

To change the county seat of Russell county ;

And of its having reconsidered the vote concurring in the passage of the Senate bill, abolishing an ordinance of the late convention, creating the new county of Baine, and request that the bill be returned to the House.

WM. B. CLOUD, Clerk.

House bill to regulate elections in this State,

Was read twice.

Mr. Sibley offered the following resolution,

Which was adopted :

*Resolved*, That while the bill to be entitled an act to regulate elections in this State, is under consideration, the speeches of members shall be limited to five minutes each, and no member shall be allowed to speak more than twice on the same question.

Mr. Pennington moved to amend the election bill in the 9th line of section 2 ; after the word “ complied,” insert “ at the time of voting,”

Mr. Whitney offered the following substitute, to be added at the end of the last section :

Provided, however, that nothing contained in this act shall take away or impair any privilege or right conferred upon any person by the act entitled “ an act for the removal of disabilities,” approved August 11, 1868 ;

Which amendments, on motion of Mr. Whitney,

Were laid on the table.

Pending consideration of election bill,

Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, October 9, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

Journal of yesterday was read and approved.

Mr. Pennington introduced joint resolution as to the pay of the President of the Senate, *pro tem.* ;

Which was read a third time and passed.

Mr. Lambert introduced a bill—

For the relief of Arraney Page, of Washington county ;

Which was read twice.

Mr. Sanford moved to add, “ every lady of Coosa county ;”

Which amendment, on motion of Mr. Farden,

Was laid on the table

Bill was read a third time and passed.

Senate bill in relation to the removal of the books, &c., in Russell county, as amended by the House,

Was taken up and the amendment of the House was concurred in.

House bill—

For the relief of the Stafford Mills ;

Was read three times and passed.

House bill—

For the relief of Annie Stafford, of Montgomery county ;

Was read twice and ordered back to the House to be properly engrossed.

House bill—

For the relief of Lucinda Ellinger, of Bibb county ;

Was read twice.

On motion of Mr. Sanford, the bill was indefinitely postponed ;

Yeas 13, nays 6.

Those who voted in the affirmative are, Messrs. Bromberg, Jones, Lambert, Lentz, Martin, Oliver, Richards, Sanford, Sevier, Sibley, Wise, Worthy, and Yordy—13.

Those who voted in the negative are, Messrs. Farden, Foster, Johnston, Mabry, Mahan and Pennington—6.

Mr. Pennington, from the judiciary committee, reported a substitute for the bill—

To extend the time for opening judgments, and to grant new trials ;

Which substitute was adopted, the bill read a third time and passed.

Mr. Pennington introduced a joint resolution relating to adjournment ;

Which was read ;

Mr. Sibley moved to amend by striking out "2nd Monday in January, 1869," and inserting "1st Monday in November, 1869."

Mr. Foster moved to amend said amendment by striking out "1st Monday in November, 1869," and inserting "16th November, 1868."

Mr. Oliver moved to lay the resolution and amendments on the table ;

Which motion was lost.

On motion of Mr. Oliver, Mr. Foster's amendment was laid on the table.

Mr. Sibley's amendment was adopted.

On motion of Mr. Farden, "regular or called session" was stricken out and "re-assembling" was inserted ;

Resolution, as amended, was adopted.

At 12 o'clock the House election bill came up ;

Mr. Bromberg moved to reconsider the vote by which the Senate laid on the table the amendment of Mr. Pennington to the 2nd section of said bill ;

On motion of Mr. Foster, said motion to reconsider was laid on the table.

Mr. Sanford moved to strike out the first proviso in the 7th section ;

The regular order was suspended to enable Mr. Hays to submit a report of the joint committee sent to wait upon the President of the United States, for troops ;

Which report was received and the committee discharged.

Mr. Worthy (with leave) introduced the following resolution :

*Resolved*, That we are much obliged to his Excellency, Andrew Johnson, for his assurances that he would aid the civil authorities of Alabama by all proper means, to sustain law and order in Alabama ; and we recognize in this assurance only a determination, on his part, to do his duty.

*Resolved further*, That whenever it shall become necessary for the interposition of Federal interference to keep the peace, that we will make it known to him.

On motion of Mr. Whitney, the second resolution was stricken out.

Mr. Sibley moved to lay the resolution on the table.

Senate adjourned till 5 o'clock P. M.

## AFTERNOON SESSION.

Senate met pursuant to adjournment.

House election bill was taken up, and the question recurred on Mr. Sanford's motion to strike out the first proviso in section 7 ;

Which was carried.

On motion of Mr. Farden, "registered voter" was substituted for "person," in the first line of section 32.

On motion of Mr. Sanford, section 2 was amended by inserting "August 11, 1868," for "August, 1868."

Mr. Worthy moved to amend section 3 by changing "under confinement," to "being confined for " ;

Which amendment was adopted.

On motion of Mr. Bromberg, section 4 was amended by substituting "instructions" for "institutions."

On motion of Mr. Worthy, the same section was amended by substituting "commissioner" for "commissioners," and "justices" for "justice" and "throughout" for "throughought," and "held" for "heald."

On motion of Mr. Worthy, section 5 was amended by inserting "tax assessor," and by changing "justice" to "justices."

On motion of same, section 6 was amended by changing "institution" to "instruction."

On motion of same, section 7 was amended by inserting "elected," and by striking out "further" after "provided."

On motion of same, section 8 was amended by inserting "tax collector."

Mr. Worthy moved to amend section 11 by inserting "a" before "Tuesday ;"

Which amendment, on motion of Mr. Bromberg, was laid on the table.

On motion of Mr. Worthy, section 17 was amended by inserting "county" after "precinct."

On motion of Mr. Worthy, section 18 was amended by inserting "now" before "designated."

Mr. Lambert moved to amend section 24 by substituting "8" for "7."

Which amendment was lost.

On motion of Mr. Farden, section 34 was amended by substituting "registered voter" for "person."

Mr. Worthy moved to amend section 34 by inserting "any person legally authorized to vote."

Which amendment was laid on the table.

Mr. Mabry moved to strike out "imprisoned" in section 34 ;  
Which motion was laid on the table.

On motion of Mr. Worthy, section 35 was amended by inserting "after."

On motion of Mr. Oliver, section 37 was amended by inserting the words, "unless appeal be taken within ten days to the probate court."

On motion of Mr. Worthy, section 38 was amended by changing "of" to "from."

Mr. Worthy moved to add to section 38, as follows:

"*Provided*, That the Secretary of State, failing to furnish the blanks as aforesaid, shall be guilty of a misdemeanor, and on conviction, shall be fined \$500" ;

Which amendment, on motion of Mr. Farden, was laid on the table.

On motion of Mr. Worthy, section 39 was amended by substituting "presiding officer" for "president."

Also, on motion of same, section 40 was amended in like manner.

On motion of Mr. Foster, section 43 was amended by substituting "August, 1868" for "July, 1868."

On motion of Mr. Bromberg, section 46 was stricken out.

On motion of Mr. Farden, section 50 was amended by substituting "judge" for "clerk."

On motion of Mr. Worthy, section 81 was amended by inserting "and vice president."

On motion of same, section 72 was amended by inserting "them," after "notify."

On motion of same, section 87 was amended by substituting "presiding officer," for "president" in each place in the section.

On motion of same, section 88 was amended in like manner.

Mr. Worthy moved to amend section 90 by striking out "threaten to discharge ;"

Which motion was lost.

On motion of same, section 91 was amended by inserting "who" in the first line.

On motion of same, section 92 was amended by inserting "or county," after "precinct."

Mr. Worthy moved to strike out section 94 ;

Which motion was lost.

On motion of Mr. Sevier, section 94 was amended by inserting "wilfully or corruptly" after "deputy sheriff."

Mr. Mabry moved to add "electioneer" in section 94 ;

Which motion, on motion of Mr. Farden, was laid on the table.

On motion of Mr. Richards, section 96 was amended by inserting "to" after "previous."

On motion of Mr. Mabry, section 96 was amended by striking out the words "at or about any polling place."

Mr. Pennington moved to amend section 97 by inserting except "lager beer ;"

Which amendment was lost.

Mr. Whitney moved to change "felony" to "misdemeanor" in same section ;

Which motion was lost.

On motion of Mr. Pennington, "misdemeanor" was substituted for "felony" in same section.

On motion of Mr. Foster, an additional section, No. 103, was added.

Bill was then read a third time and passed.

Yeas 17, nays 2.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Foster, Hays, King, Lambert, Lentz, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley and Yordy—17.

Those who voted in the negative are, Messrs. Mabry and Worthy—2.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
Oct. 9, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

For the relief of W. I. Kirk, of Jackson county ;

To extend the time for making applications to open judgments ;

For the relief of S. A. Thompson, of Mobile county ;

For the relief of Annie Stanford, of Montgomery county ;

Supplementary to an act to reorganize and establish the municipal government of the city of Mobile ;

Joint resolution to pay the expenses of the committee sent to Washington.

WM. B. CLOUD, Clerk of House.

HOUSE OF REPRESENTATIVES, }  
October 9, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the following Senate bills :

For the protection of *bona fide* purchasers for a valuable consideration.

For the relief of John C. Jolly, of Coffee county ;

To incorporate the town of Scottsboro, in Jackson county ;

To repeal an act amendatory of an act to locate the seat of justice of Jackson county, approved December 17, 1859 ;

To attach a portion of Bullock county to Barbour county ;

To facilitate the collection of taxes ;

To establish a ferry on the Tennessee river ;

For the relief of the heirs of Matilda Huston, deceased ;

To authorize the court of county commissioners of Bullock county to issue bonds for county purposes ;

To enforce the law requiring persons to work on public roads.

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
October 9, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To change the place of holding elections in district No. 15, in Jackson county ;

To legalize the approval of the bonds of county officers by the judges of probate ;

To secure redress for trespass or wrong to person or liberty ;

For the relief of Wm. Stringer, of Morgan county ;

In relation to educational matters in the city and county of Mobile ;

To amend an act amending section 750 of the Revised Code ;

To repeal an ordinance of the late constitutional convention ;

For the relief of Wm. J. Maxwell, of Montgomery county.

WM. B. CLOUD, Clerk.

Senate adjourned till 10 o'clock to-morrow morning.

SATURDAY, October 10, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

House bill—

To repeal an ordinance of the late constitutional convention of November 4, 1867 ;

Was read and postponed till Monday next.

House bill—

To secure redress for trespass or wrong to person or liberty ;

Was read first, second and third time and lost.

House bill—

To amend section 4343 of the Revised Code ;

Was read twice.

Mr. Farden moved to amend.

On motion of Mr. Worthy, the bill was laid on the table.

House bill—

To give force and effect to liens in favor of agricultural laborers ;

Was read three times and passed.

House joint resolution—

In relation to the pay of the joint committee sent to Washington city ;

Was read twice.

Mr. Worthy moved to amend, as follows :

Provided, that said committee shall receive only one-half of the amount of their said expenses at the present session of the Legislature, for their actual expenses ;

Which amendment, on motion of Mr. Whitney,

Was laid on the table.

Mr. Oliver moved to amend as follows :

“ Or so much thereof as is necessary to pay all necessary travelling expenses ;

Which amendment was laid on the table.

Joint resolution was read a third time and passed.

Mr. Farden introduced a bill—

To authorize the Governor to offer rewards for murderers and assassins ;

Which was read twice.

Mr. Pennington moved to amend.

Consideration of the bill was suspended.

Mr. Pennington offered a joint resolution to rescind the resolution to adjourn at 6 P. M. on this day.

Which was adopted and sent to the House.



## MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 Oct. 10, 1868. }

*Mr. President :*

I am directed by the House of Representatives to inform the Senate of its having originated and passed the following bill :

For the relief of E. B. Lott, of Mobile ;

And has passed Senate bills—

To establish a mutual aid association, and to raise funds for the benefit of the common school system of Alabama ;

As to the pay of the President *pro tem.* of the Senate.

Very respectfully,

WM. B. CLOUD, Clerk.

Leave was granted to Mr. Jones, to have the following protest spread upon the journal of the Senate :

SENATE CHAMBER, }  
 October 8, 1868. }

I enter this my solemn protest against the passage of the bill entitled "An act to regulate elections in this State." In doing so, I consider it one of the most *nefarious, unjust, illiberal* and oppressive measures passed by the Legislature of the State of Alabama.

W. B. JONES,  
 State Senator from 26th Ala. District.

Senate adjourned till 4 P. M.

## AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. Pennington introduced joint resolution to pay the clerk of the joint committee on registration ;

Which was read and adopted.

Mr. Oliver introduced joint resolution to adjourn at 11 P. M., and meet on 2d day of November, 1868 ;

Which was adopted :

House bill—

In relation to educational matters in the city and county of Mobile ;

Was read twice.

Mr. Worthy moved to take up the bill relating to murder in Russell county ;

Which motion was lost.

Mr. Jones offered the following resolution :

*Resolved*, That in the report of the assassination of Judge Appleby and Mr. Hughes in Russell county, the Senate has been grossly deceived, the same being false and untrue in every respect, and a libel upon the good citizens of Alabama ;

Which was laid on the table.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
October 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

To amend 4377 and 4390 of the Revised Code ;

For the relief of the Secretary of the Senate and Clerk of the House ;

For the relief of laborers and employees ;

For the relief of Susan H. Bradley, of Lowndes county ;

Joint resolution to pay the clerk of the registration committee ;

Joint resolution rescinding resolution in relation to adjournment at 6 p. m.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
Oct. 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bill :

To repeal an act to prohibit the sale of spirituous liquors in Shelby county ;

Also, has concurred in the amendment of the Senate to the Bill to regulate certain elections to be held in this State, on the 3d day of November, 1868.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

## MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has this day approved and signed bills to be entitled :

To increase the pay of the county commissioners of Marengo and Choctaw counties ;

To extend the time for opening judgments, and declaring certain judgments void ;

For the relief of John C. Jolly, of Coffee county ;

To change the county seat of the county of Russell ;

To extend the corporate limits of the city of Demopolis ;

To establish a ferry across the Tennessee river ;

For the relief of the estate of Matilda Huston, deceased, of Mobile county ;

To repeal an act approved December 18, 1860, amendatory of an act to locate the seat of justice of Jackson county, approved Dec. 17, 1859 ;

An act to establish a mutual aid association, and to raise funds for the benefit of the common school system of Alabama ;

And also, joint resolution as to the pay of the President *pro tem.* of the Senate ;

To declare Mrs. Elizabeth G. Read a free dealer ;

To repeal an ordinance to abolish the new county called the county of Baine, formed by the General Assembly of 1866 and 1867 ;

To repeal section 11 of the ordinance for the relief of insolvent debtors, passed December 6, 1867, by the late State Convention, and to revive the exemptions in the Revised Code ;

To prevent damages to land owners in Washington county from overflow of water.

D. L. DALTON, private secretary.

Senate then adjourned till 8 P. M.

## NIGHT SESSION.

Senate met pursuant to adjournment.

House bill, in relation to educational matters in the city and county of Mobile ;

Was indefinitely postponed.

Mr. Pennington introduced a bill, to appropriate \$1,000 for State Fair ;

Which was read twice and postponed ;

Mr. Pennington offered the following resolution ;

Which was adopted unanimously :

*Resolved*, That the thanks of the Senate are due and are hereby tendered to the Hon. J. De Forrest Richards, President *pro tem.* of the Senate, for the efficient and impartial manner in which he has presided over its deliberations during the present session.

Mr. Farden introduced a bill to make it the duty of the Governor to offer rewards for felons, murderers and assassins

Which was read twice and ordered to a third reading.

Senate bill for the relief of Rebecca A. Finch ;

Was amended, on motion of Mr. Worthy, as follows :

Provided, The provisions of this act shall be extended to; Amanda Zachary of Pike county, wife of A. J. Zachery of Mississippi ;

Bill failed to pass.

On motion of Mr. Mabry, a committee of three was appointed to wait on the House of Representatives, to inform the House that the Senate was ready to adjourn.

Messrs. Mabry, Bromberg and Pennington, were appointed said committee.

At 11 p. m. the Senate adjourned to meet again on the 1st Monday in November, 1868.

J. DE F. RICHARDS,

President *pro tem.* of Senate.

Attest :

M. P. BLUE, Secretary of Senate.

# HOUSE BILLS LOST IN THE SENATE,

AT THE CALLED (SEPTEMBER) SESSION, 1868.

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## ADVERSE REPORTS CONCURRED IN.

Requiring judges to make certain entries on their dockets ;  
To authorize the admission of parol evidence, in certain cases.

## INDEFINITELY POSTPONED.

In relation to educational matters in the city and county of Mobile.

## LAIID ON THE TABLE.

To establish a work house in Bullock county ;  
To amend section 4343, chapter 14, title 3, part 4, of the Revised Code of Alabama.

## READ AND POSTPONED.

To repeal an ordinance of the late constitutional convention, of November 7th, 1868, (abolishing the county of Colbert). —————

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## HOUSE BILLS

*Not considered in the Senate at the Called (September) Session,  
1868.*

For the relief of E. B. Lott, of Mobile ;

**Supplementary to an act to reorganize and establish the municipal government of the city of Mobile ;**

**To amend section 2877 of the Revised Code ;**

**To amend an act amending section 750 of the Revised Code ;**

**To amend section 3539 of the Revised Code of Alabama ;**

**For the relief of S. A. Thompson, of Mobile county ;**

**For the relief of Thomas Jackson of Elmore county ;**

**For the relief of Wm. J. Maxwell, of Montgomery county ;**

**For the relief of Annie Stanford, of Montgomery county ;**

**For the protection of the State of Alabama for certain school lands that have or may hereafter be sold.**

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# BILLS, JOINT RESOLUTIONS, &C.,

Introduced in the Senate at November Session, 1868.

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BARR, Mr.—Introduced bills and joint resolutions, as follows :

September 16. To aid in opening certain rivers in this State to navigation. Lost for want of two-thirds vote.

Sept. 22. To enforce the law requiring persons to work on public roads. Passed.

Sept. 23. To legalize the action of the superintendent of education of Mobile, in appointing a board of school commissioners for said county. Lost in hands of committee.

Sept. 30. Relating to elections. Substitute reported for it.

Oct. 5. Reported a bill to regulate certain elections to be held in this State, on the 3d day of November, 1868. Tabled.

Oct. 6. To amend section 3 of "An ordinance of the constitutional convention concerning the election for the ratification of the constitution, and for State and county officers and members of Congress." Lost in hands of committee.

BROMBERG, Mr.—Introduced bills and joint resolutions, as follows :

Sept. 22. To repeal sections 2 and 3 of an act entitled an act in relation to schools in Mobile county, enacted by the board of education of the State of Alabama, approved August 11, 1868. Lost in hands of committee.

Sept. 22. To legalize the board of school commissioners of Mobile. Lost in hands of committee.

Sept. 24. For the relief of E. B. Lott, late tax collector of Mobile county. Passed, Sept. 26.

Sept. 26. To regulate junk shops in Mobile. Lost on third reading, Sept. 28.



Sept 28. Communication from Mobile, (resolutions of the city boards.) Adverse report of committee concurred in, Sept. 30.

BUCKLEY, Mr.—Introduced bill :

Sept. 26. For the relief of Susan H. Bradley, of Lowndes county. Passed.

FARDEN, Mr.—Introduced bills and joint resolutions, as follows :

Oct. 3. Joint resolutions asking a report from the joint committee appointed to visit Washington City. Tabled.

Oct. 6. To amend section 55 of the Revised Code. Amended and passed.

Oct. 10. To authorize the Governor to offer rewards for murderers and assassins. Read and consideration suspended.

Oct. 10. To make it the duty of the Governor to offer rewards for felons, murderers and assassins. Ordered to a third reading.

FOSTER, Mr.—Introduced bills and joint resolutions, as follows :

Sept. 22. For the relief of C. A. Spangenberg, acting jailor of Choctaw county. Passed, Sept. 23.

Sept. 24. To repeal an ordinance to abolish the county of Baine, formed by the General Assembly of 1866 and 1867. Passed, Sept. 25.

Sept. 24. For the relief of the estate of Matilda Huston, deceased. Passed.

Sept. 25. To prevent damages to land owners in Washington county from overflow of water. Passed, October 7.

Sept. 26. Joint resolution to elect a State printer. Adopted.

Oct. 5. For the relief of Martha Ann Duke, of Washington county. Passed.

Oct. 5. To repeal section 11 of the ordinance for the relief of insolvent debtors, passed December 6, 1867, by the late State Convention, and to revive the exemptions in the Revised Code. Amended and passed, Oct. 7.

Oct. 6. To provide a clerk for the office of the superintendent of public instruction. Tabled.

Oct. 7. To secure certain land script of the United States. Passed.

Oct. 7. To extend the time for opening judgments, and to grant new trials. Substitute adopted and passed, Oct. 8.

Oct. 7. For the protection of married women and minors. Lost in hands of committee.

HAYS, Mr.—Introduced bills, as follows :

Sept. 22. To authorize the consolidation of the North-east and South-west Railroad company, with the Wills Valley Railroad company, and to provide for the organization of the corporation formed by such consolidation, and to give it the benefit of the State's endorsement of its bonds, and to regulate the said consolidation. Passed, Sept. 23.

Sept. 22. To legalize the assessment of a county tax in the county of Greene for the year 1867. Passed.

HINDS, Mr.—Introduced bills and joint resolutions, as follows :

Sept. 21. Joint resolutions and memorial to the President of the United States for troops. Passed.

Sept. 22. For the relief of Reddin Garrison and Salina A. Garrison. Passed, Sept. 23.

JONES, Mr.—Introduced bills, as follows :

Oct. 5. To increase the pay of the county commissioners of Marengo county. Amended and passed, Oct. 7.

Oct. 7. To extend the corporate limits of the city of Demopolis. Passed.

KING, Mr.—Introduced bills, as follows :

Sept. 22. To declare the election held in Coffee county valid, and for other purposes. Substitute of committee adopted, Sept. 24. Passed, Sept. 25.

Sept. 26. For the relief of John C. Jolly, of Coffee county. Amended, and passed, Sept. 30.

LAMBERT, Mr.—Introduced bills and joint resolutions, as follows :

Sept. 22. To amend 4377 and 4390 of the Revised Code of Alabama. Passed, Sept. 25.

Sept. 30. Joint resolution for a joint committee in relation to notaries public. Adopted.

Oct. 8. For the relief of Arraney Page, of Washington county. Passed.

MABRY, Mr.—Introduced bills—

September 22. To change the boundary lines between the counties of Barbour and Bullock. Withdrawn, September 24.

September 30. To incorporate the Co-operative Life Insurance Company of Eufaula. Lost in hands of committee.

September 30. To amend an act to incorporate the Woodville Insurance Company. Passed.

October 5. To authorize the court of county commissioners of Barbour county, to issue bonds for county purposes. Passed.

October 5. To secure the right of appeal to the supreme court of Alabama, from decisions of circuit judges, on application for mandamus, quo warranto and other remedies. Passed, October 7.

McAFEE, Mr.—Introduced bills and joint resolutions as follows:

September 28. To incorporate an independent detective company. Tabled and printed.

October 5. Joint resolutions suspending sections 2, 3, and 4 of article 12, (industrial resources) revised Constitution of Alabama, 5th November, 1867, and for other purposes. Ordered to a third reading.

October 5. Joint resolutions relating to the committee appointed to visit the deaf, dumb and blind institutions of this State. Tabled.

MARTIN, Mr.—Introduced bills,

September 22. To make Harriet Cadenhead and others, free dealers. Passed.

OLIVER, Mr.—Introduced bills and joint resolutions as follows:

September 26. For the relief of Benjamin Boshell and Elizabeth Boshell of Walker county. Lost.

October 6. To amend an act to continue in force certain laws approved July 22, 1868. Passed.

October 10. Joint resolutions relating to adjournment. Adopted.

PENNINGTON, Mr.—Introduced bills and joint resolutions as follows:

September 21. To establish in perpetuity a public ferry across the Tallapoosa river. Lost by concurrence in adverse report, September 26.

September 21. To authorize the court of county commissioners of the counties of Lee, Tallapoosa, Coosa, Talladega, Shelby, Jefferson, Walker, Winston, Lawrence and Frank-

lin to subscribe to the capital stock of the Savannah and Memphis Railroad, and for other purposes therein named. Ordered to a third reading.

September 21. To relieve Leroy Clarke Edwards from disability imposed by section 2357 of the Revised Code of Alabama. Passed.

September 22. To amend sections 2876 and 2977 of the Revised Code of Alabama, to provide for registration of judgments in certain cases, and to discharge liens of judgments. Lost by concurrence in adverse report, October 1.

September 21. To change the county seat of Russell county. Passed.

September 24. For the protection of married women and minors. Lost in hands of committee.

September 26. To extend the time for making application to open judgments. Lost by concurrence in adverse report, September 28.

September 26. Concerning mortgages on real estate. Lost by concurring in adverse report, September 30.

September 25. Reported two bills providing for registration, one of which was amended and passed, October 6.

September 30. For the relief of Sarah A. Babcock of Lee county. Passed.

September 30. To extend the time for opening judgments and declaring certain judgments void. Lost in hands of committee.

September 30. To establish a mutual aid association, and to raise funds for the benefit of the common school system of Alabama. Passed, October 5.

October 1. For the relief of McClung and Jacques. Tabled.

October 5. To incorporate the town of Tuskegee. Passed.

“ “ For the relief of Rebecca A. Finch, of Lee county. Amended and lost on the third reading, October 10.

October 5. To re-enact the several ordinances adopted by the convention that framed the present Constitution of the State of Alabama. Lost in hands of committee.

October 5. Joint resolutions to alter and amend the Constitution of the State of Alabama. Lost in hands of committee.

October 5. To declare Mrs. Elizabeth G. Reid, a free dealer. Passed.

October 8. Joint resolution as to the pay of the president *pro tem*. Passed.

October 8. Joint resolution as to adjournment. Adopted.

October 10. Joint resolution to rescind resolution relating to adjournment. Adopted.

October 10. Joint resolution to pay the clerk of the registration committee. Adopted.

October 10. To appropriate \$1,000 for State Fair. Passed.

ROYAL, Mr.—Introduced bills, as follows :

October 5. To establish a workhouse in Bullock county. Amended and tabled.

October 7. To authorize the court of county commissioners of Bullock county to issue bonds for county purposes. Passed.

SANFORD, Mr.—Introduced bills :

September 24. To form a new county to be called ——. Passed as "Sanford" county, September 25.

September 26. To amend section 7 of "An act to empower the Governor to appoint notaries public, approved, August 11, 1868. Amended, and passed.

SEVIER, Mr.—Introduced bills :

September 22. To authorize David Patterson to sell and dispose of certain property herein described, belonging to the estate of Calvin L. Britton, deceased, late of Franklin county. Lost by concurrence in adverse report, Sept. 23.

September 30. To convey the remains of deceased members of the General Assembly to their homes or places of residence for interment. Ordered to second reading.

October 5. To repeal section 7, of an act therein named. Passed.

October 5. To amend section 49 of the Revised Code. Passed, October 6.

SIBLEY, Mr.—Introduced bills :

September 22. To amend section 1359 of the Code. Passed by concurrence in adverse report, September 26.

September 22. To add a portion of Lee to the county of Russell, in the State of Alabama. Tabled, September 26.

September 24. To repeal section 4231 of the Revised Code. Passed, October 1st.

October 6. To amend section 4092 of the Revised Code. Ordered to third reading, October 7.

WHITNEY, Mr.—Introduced bills and joint resolutions, as follows :

September 17. To amend the act to establish a system of internal improvements in the State of Alabama. Tabled.

September 22. For the relief of laborers and employees. Amended, and passed.

September 24. To establish a ferry on the Tennessee river. Passed, September 25.

September 25. For the protection of the bona fide purchasers for a valuable consideration. Passed, October 3d.

September 26. To repeal an act, approved December 18, 1860, amendatory of an act to locate the seat of justice of Jackson county, approved December 17, 1859. Passed.

September 26. For the relief of W. I. Kirk, of Jackson county. Passed, September 28.

October 7. To amend an act to establish revenue laws for the State of Alabama. Lost in the hands of committee.

WORTHY, Mr.—Introduced bills:

September 22. To regulate proceedings in civil suits, when certain papers are lost or destroyed. Passed, September 23.

September 24. For the relief of W. C. Wood, and others, therein named. Passed.

September 24. A petition from Jones county. A bill passed September 26.

September 25. To encourage the investment of capital in the State of Alabama. Lost in hands of committee.

September 30. To change the boundary line between the counties of Barbour and Bullock. Lost by concurrence in adverse report, October 1.

YORDY, Mr.—Introduced bills:

September 29. To repeal an act to incorporate the Tuscaloosa scientific and art association. Tabled, October 1st.

September 30. To extend the time for assessing the taxes in Greene county for the year 1868. Passed.

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# NOVEMBER SESSION.

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## NOVEMBER SESSION.

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MONDAY, November 2, 1868.

Be it remembered, that this, second day of November, A. D. 1868, being the day to which the General Assembly of Alabama adjourned the first regular annual session, under the Revised Constitution on the 12th day of August, 1868, in the absence of the President of the Senate, at 12 o'clock, meridian, the Secretary called the Senate to order.

On the call of the roll, the following senators answered to their names:

Messrs. Farden, Sanford and Stow—3.

On motion of Mr. Stow, Mr. Sanford was called to the chair;

Prayer by the Rev. Mr. McCutchen.

Senate adjourned till 5 p. m. to-morrow.

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TUESDAY, November 3, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names:

Messrs. Mabry, Mahan, Oliver, Royal, Sanford, Worthy and Yordy—7.

Senate adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, November 4, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names.

Messrs. Buckley, Mabry, Oliver, Sanford and Yordy—5.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, November 5, 1868.

The Senate met pursuant to adjournment.

On call of the roll, the following senators answered to their names :

Messrs. Buckley, Farden, Lambert, Mabry, Mahan, Martin, Oliver, Royal, Sanford, Sibley, Whitney, Worthy and Yordy—13.

Senate adjourned till 11 o'clock to-morrow morning.

---

FRIDAY, November 6, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Farden, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sibley, Whitney and Yordy—13.

Senate adjourned till 3 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

On motion,

Senate adjourned till 10 o'clock to-morrow morning.

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SATURDAY, November 7, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Farden, Hays, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Richards, Royal, Sanford, Sibley, Whitney, Worthy, Wyman and Yordy—17.

Mr. Whitney moved that the sergeant-at-arms, elected in July, be the sergeant-at-arms at this session ;

Which motion was carried.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
November 7, 1868. }

*Mr. President :*

The House has originated and passed a joint resolution in relation to the appointment of a joint committee.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Question arising as to the Pages;

Mr. Mabry moved to refer the matter to committee ;

Which motion was lost ;

Mr. Richards moved to declare the office of Toliver Page vacant ;

Mr. Pennington offered the following resolution :

*Resolved*, That the office of page to the Senate be declared vacant, and that the Senate now proceed to the election of one page and no more ;

Mr. Farden moved to amend, by declaring all the subordinate offices of the Senate vacant, and that the Senate proceed at once to elect such officers ;

Mr. Mabry moved to lay the resolution and amendment on the table ;

Which motion was lost—yeas 8, nays 11.

Those who voted in the affirmative are, Messrs. Mabry, Mahan, McAfee, Sibley, Whitney Worthy, Wyman and Yordy—8.

Those who voted in the negative are, Messrs. Barr, Farden, Hays, Lambert, Lentz, Oliver, Pennington, Richards, Royal, Sanford and Sevier—11.

Mr. Pennington then withdrew his resolution.

Mr. Farden offered the following resolution ;

Which was adopted :

*Resolved*, That the Senate hereby inform the House that it has organized, and is now ready for business.

Senate then took a recess for five minutes.

After the recess, the Senate was called to order.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
November 7, 1868. }

*Mr. President :*

I am directed to inform the Senate that the House has met and organized, and is now ready for business.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

House joint resolution for the appointment of a joint committee to settle the character of the present session ;

Was read and adopted ;

And Messrs. Sanford, McAfee and Whitney, were appointed the Senate committee.

Mr. Pennington, from the joint committee to wait upon the Governor, reported that the Governor, viewing this as a continuation of the regular annual session, has no regular message to communicate, but would send in a special message at an early day ;

Which report was received and the committee discharged.

Mr. President ruled that all reporters of newspapers allowed seats within the bar of the Senate, shall register their names, and the names of the newspapers they represent, with the secretary.

Senate adjourned till 11 o'clock, Monday morning.

MONDAY, November 9, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

Mr. W. W. Glass, Senator elect from the county of Macon, came forward and was duly qualified and took his seat.

Message from the Governor as follows :

EXECUTIVE DEPARTMENT, }  
STATE OF ALABAMA, }  
Montgomery, November 9, 1868. }

*Gentlemen of the Senate and*

*House of Representatives :*

Presuming that few subjects will require action at your hands during the present session, I deem it advisable to in-



vite attention to a measure connected with Internal Improvements in our State. It is gratifying to know that capitalists abroad are anxiously seeking information respecting the latent resources of Alabama, with a view of determining the question of making investments to develop them. Special inquiry is now being made in reference to the practicability of improving some of our rivers, so as to increase their navigable facilities. Some of the richest iron mines and coal fields of the State are situated on and near the upper Coosa, which is but partially navigated, and the Cahaba, and upper Warrior, which are not navigable at all. Capitalists who are inclined to invest in these mines and fields very naturally take into consideration the means of transporting their products to market. Hence the interest that is manifested in regard to the feasibility of rendering those streams navigable.

In view of all this, I am inclined to think the public interest would be materially advanced by making provision for obtaining reliable facts on this subject. This could be done by a limited appropriation, to be applied to the survey of the rivers mentioned. It is true that the Coosa river was recently surveyed under State authority; and the ascertained facts resulting from the survey, are highly satisfactory. But the money appropriated for the purpose was exhausted before some of the impediments in the lower part of the river were as thoroughly examined as was desired by the commissioner who made the survey. A comparatively small expenditure would now develop all the additional information requisite to a thorough understanding of the whole question of rendering the Coosa river navigable for large boats. It will not require a large amount to survey the Cahaba and the upper Warrior.

It is of course not proposed that the State shall undertake the work of opening these rivers, even if its entire feasibility should be ascertained. Under our State Constitution, enterprises of that character are very properly left to private capitalists. But it seems to me that the State would largely contribute to the public welfare by officially obtaining and publishing such information as would serve as a guide to private individuals in deciding the question of turning such improvements to practical and profitable account.

In making these surveys, much valuable information might be incidentally collected, in regard to the mineral and other resources of the regions through which these streams flow. Our State abounds in rich iron beds and coal fields; they are already attracting the notice of capitalists, although the facts as to their real value are but imperfectly known. With cor-

rect information properly disseminated, there is every reason to believe that the requisite capital would be brought into the State to open up communication with our mineral regions, either by improving rivers, or building railways.

In any event, we should do everything that is practical to invite capital among us. Much might be accomplished in this way, by circulating reliable information respecting our material resources.

For these general reasons, I respectfully recommend an appropriation of such amount as the General Assembly may deem proper, to be applied to a survey of the rivers named, and the mineral regions contiguous to them. Capitalists abroad are frequently applying for information in reference to these rivers and mines; and the object desired is to collect it in an authentic form at as early a day as practicable.

I deem it proper, also, to refer to a serious evil existing in this State, which seems to call for a legal remedy. On the files of this Department, there is ample evidence of the existence of an organization in some parts of the State, whose members have committed acts which show conclusively that they aim at the accomplishment of purposes that are wholly unwarranted by law. Bands of disguised men have appeared in various localities, particularly in North Alabama, and by threats and violence, intimidated and maltreated peaceful and unoffending citizens. It is charged from responsible sources, that in some cases, harmless and defenceless persons have been subjected to personal indignities and assaults of the gravest character.

All this is inconsistent with the peace, quiet, good order, and subordination to law, which it is the first duty of all governments to maintain; and it is clearly a duty incumbent upon the proper authorities, to inquire what measures are necessary to remedy the admitted evil. Good and law-abiding citizens are entitled to the law's protection; and yet many such have suffered at the hands of men, whose disguise secures them against detection. If existing laws are not sufficient to reach this class of offenders, it is manifestly proper that suitable laws for this purpose should be enacted.

At the same time this subject should be approached with all due care. If additional legislation be found necessary, full and precise information should be obtained, so that the law can be framed in such a manner as to accomplish the desired object. With this view, I respectfully suggest that a joint committee of the two Houses be appointed, to collect and reduce to practical form the facts in relation to the conduct of

disguised men, either by visiting localities where they have appeared in public, or otherwise, as may be deemed best.

It is solely in the interest of law, public peace, and general tranquillity, that I refer to this subject. I feel that we may confidently rely upon the hearty co-operation of all good citizens in seeking an appropriate remedy for this evil.

Preparations are now being made for a State Agricultural Fair, which will be opened near the city of Montgomery in a few days. This is an enterprise of public importance, and I think it is deserving of recognition and encouragement at the hands of the State. I therefore recommend that a limited appropriation be made in behalf of this Fair, to be paid from the State Treasury to Mr. S. G. Reid, to whose exertions we are largely indebted for this highly useful and praiseworthy enterprise, and who has incurred much expense in connection with it.

WILLIAM H. SMITH.

Which was read, and on motion, 1500 copies were ordered to be printed.

Mr. Sanford, from the joint select committee, submitted a report ;

And also the following resolutions :

*Resolved*, By the Senate, the House concurring, that the present annual session be continued longer than thirty days, the limit of annual sessions as fixed by the Constitution of the State of Alabama, Article 4, Section 21 ;

Which resolution was adopted ; yeas 22, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Glass, Hays, King, Lambert, Lentz, Mabry, Martin, McAfee, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Worthy, Wyman and Yordy—22.

Mr. Farden voted in the negative.

The foregoing resolution was first amended as follows :

The regular annual session commenced July 23, 1868, and will expire on Tuesday, November 10, 1868.

Mr. Sibley offered the following resolution, which was adopted :

*Resolved*, That so much of the Governor's message as relates to internal improvements, be referred to the committee on internal improvements ; and so much as relates to secret organizations, be referred to the committee on militia ; and so much as relates to the State Agricultural Fair, be referred to the committee on agriculture and manufactures.

Mr. Sibley offered the following resolution :

*Resolved*, That all reporters of newspapers be required to register their names and the papers for which they report, and the responsible parties of the same, with the Secretary of the Senate, before they proceed to make such reports.

Mr. Barr moved to amend as follows :

*Resolved*, That all reporters of the press, before being entitled to seats at the reporters desk, be requested to register their names and papers at the secretary's desk ;

Which resolution and amendment,

On motion of Mr. Hays, was indefinitely postponed—yeas 17, nays 4.

Those who voted in the affirmative are, Messrs. Barr, Farden, Hays, King, Lambert, Lentz, Mabry, Mahan, Martin, Pennington, Royal, Sanford, Stow, Whitney, Worthy, Wyman and Yordy—17.

Those who voted in the negative are Messrs. McAfee, Oliver, Richards and Sibley—4.

Mr. Whitney offered the following resolution which was laid on the table :

*Resolved*, That the Secretary of the Senate be authorized to purchase a calender clock for the Senate Chamber.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Lentz to repeal an act therein named ;

Which was read and ordered to a second reading.

By Mr. Lentz, to aid in developing the resources of Alabama ;

Which was read twice.

Mr. Richards moved to strike out \$5,000 and insert \$2,000 ;

Bill and amendment were referred to committee on agriculture and manufactures.

Senate then adjourned till 10 o'clock to-morrow morning

TUESDAY, November 10, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Leave of absence was granted to Mr. King for this day.

Mr. President appointed Mr. Glass in the place of Mr. Foster, on the committee on accounts and claims.

## CALL OF THE DISTRICTS.

On the call of the Districts, the following bills were introduced :

By Mr. Lentz, to amend the 6th subdivision of section 711 of the Revised Code ;

By Mr. Sibley, to make the separate estates of married women liable in certain cases ;

To punish the usurpation of official powers ;

To provide fuel and lights for public offices and jails in the several counties of this State ;

By Mr. McAfee, to amend an act to incorporate the North-east and South-west Alabama Railroad company, approved December 12, 1853 ;

By Mr. Pennington, to repeal an ordinance, No. 36, of the State Convention ;

To allow judgments to be opened and grant new trials in certain cases ;

By Mr. Royal, in relation to appeals from justice's courts and from circuit courts ;

By Mr. Mabry, to repeal section 3939 of the Revised Code, and for other purposes ;

By Mr. Farden, to amend the corporation laws of Alabama ;

To authorize the probate judge of Choctaw county to levy the county tax for 1868, &c. ;

To grant new trials in certain cases ;

For the more efficient execution of legal process ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Seyier, to make Mrs. Mary Hollingsworth a free dealer ;

By Mr. Whitney, for the relief of Turner Wood and Henry Sanders, of Jackson county ;

Which bill was read twice and referred to the committee on grievances and disabilities.

By Mr. Sibley, to repeal sections 446, 447 and 448, and paragraph 1 of section 556 of the Revised Code ;

Which bill was read twice and referred to the committee on accounts and claims.

By Mr. Sibley, for the relief of the poor of this State ;

Which bill was read twice, and referred to the committee on poor laws and charitable institutions.

By Mr. Whitney, for the protection of agricultural laborers ;

Which bill was read twice and referred to the committee on agriculture.

By Mr. Sanford, supplementary to an act approved August 3, 1868 ;

By Mr. Lambert, for the relief of the sheriff of the county of Coosa ;

Which bills were severally read three times and passed.

By Mr. Pennington, to procure a geological survey of the State of Alabama ;

Which bill was read twice, and referred to the committee on internal improvements.

By Mr. Penninton, to repeal an act to incorporate the schools of Macon county, approved Jan. 26, 1858 ;

Which bill was read twice and referred to the committee on education.

By Mr. Mabry, joint resolutions to alter and amend the constitution of Alabama ;

Which were read twice ;

Mr. Sanford moved to amend, as follows :

Strike out "all children from five to 21 years," and insert "all children from the age of seven years to 16 years of age."

On motion of Mr. Barr,

The whole subject was laid on the table.

By Mr. Stow, to make an appropriation for the survey of the Cahaba river ;

Which bill was read twice and referred to the committee on internal improvements.

By Mr. Wyman, to extend the provisions of an ordinance to stay the collection of debts ;

Which was read twice.

Mr. Pennington moved to amend ;

Mr. Sanford moved to amend.

Bill and amendments were referred to the judiciary committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 10, 1863. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To provide for the pay of the members and officers of the General Assembly ;

And has adopted the following joint resolution :

In relation to appointing a joint committee in accordance

with the recommendation of the message of His Excellency Gov. Smith ;

And in relation to appointing a joint committee to investigate alleged frauds in the late election.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

House joint resolution—

To appoint a joint committee in accordance with the recommendation of Gov. Smith ;

Was read three times and passed.

House joint resolution to investigate alleged frauds at the late election, &c. ;

Was read twice.

Pending its consideration,

Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, November 11, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

Mr. President appointed Messrs. McAfee and Richards as the committee on the part of the Senate under the House joint resolution in relation to the appointment of a joint committee in accordance with Gov. Smith's recommendation.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills and joint resolutions were introduced :

By Mr. Wyman, to amend section 4094 of the Revised Code, and for other purposes ;

By Mr. Hays, for the relief of H. A. Cooper, of Tuskaloosa county ;

For the protection of mortgagees and *cestui que trusts* ;

By Mr. Bromberg, to change the jurisdiction of the city court of Mobile ;

By Mr. Worthy, for the relief of Helen M. Brady, of Blount county ;

For the relief of J. B. Billingsley, of Blount county ;

Which bills were severally read twice and referred to the judiciary committee ;

By Mr. Hays, to extend the time for the collection of taxes in Greene county ;

Which bill was read twice ;

As amended, the bill was read a third time and passed.

By Mr. Yordy, (with petition) for the relief of Jerome C. Thompson, of Choctaw county ;

By Mr. Bromberg, for the more effectual enforcement of the criminal laws and ordinances of the city of Mobile ;

Which bills were severally read three times and passed.

By Mr. Yordy, to repeal an act to incorporate the Tuscaloosa scientific and art.association, &c., approved, February 3, 1866 ;

Which bill was read twice and laid on the table—yeas 13, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, King, Lentz, Mabry, Martin Morton, Pennington, Sibley, Stow, Whitney and Wise—13.

Those who voted in the negative are, Messrs. Bromberg, Hays, Lambert, Mahan, McAfee, Oliver, Richards, Sanford, Sevier, Worthy Wyman and Yordy—12.

By Mr. Bromberg, memorial from the harbor masters and port wardens of Mobile ;

Which bill was read and referred to a select committee, composed of Messrs. Bromberg, Worthy and Oliver.

By Mr. Barr, communication from the War Department at Washington city ;

Which was read and referred to a select committee, composed of Messrs. Barr, Pennington, Stow, Lambert and Mabry.

By Mr. Sanford, to empower the Governor to appoint a judge of the county court of Calhoun county ;

Which bill was read twice ;

Mr. Mabry moved to amend as follows :

“By electing a county judge” in place of appointment by the Governor ;

Which motion was lost ;

Bill was referred to the judiciary committee.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 11, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles, to-wit :



For the relief of Jno. A. Greathouse, of the county of Macon ;

To repeal section "one" (1) of a special act passed by the General Assembly in the year 1847 ;

A bill to be entitled an act to amend section 2131 of the Revised Code ;

A bill to be entitled an act supplementary to an act to change the court house of Russell county, approved, October, 1868.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Mr. Pennington introduced the following resolution :

*Resolved*, That gentlemen who have held or who have been elected to seats in this body, and who are absent without leave, be notified by the secretary, without delay, that the General Assembly is in session ; and should they not appear and take their seats within twenty days after such notification, then their seats to be declared vacant ;

Which was read ;

Mr. Oliver moved to amend, as follows :

"Respectfully requested to notify the Senate whether they intend to take their seats ;"

Which subject was referred to the committee on privileges and elections.

Mr. Lambert, from the committee on agriculture and manufactures, reported favorably, with amendment to the bill to aid in developing the resources of Alabama ;

Which report was received ;

Mr. McAfee moved to amend the amendment by striking out \$2,500 and inserting \$1,000 ;

Which amendment, on motion Mr. Pennington,

Was laid on the table—yeas 15, nays 10.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Glass, Hays, King, Lentz, Martin, Morton, Pennington, Stow, Whitney, Wise, Worthy and Wyman—15.

Those who voted in the negative are, Messrs. Lambert, Mabry, Mahan, McAfee, Oliver, Richards, Sanford, Sevier, Sibley and Yordy—10.

The amendment of the committee was adopted ;

And the bill was read a third time and passed—yeas 17, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hays, King, Lentz, Martin, Morton,

Pennington, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—17.

Those who voted in the negative are, Messrs. Lambert, Mabry, Mahan, McAfee, Oliver, Richards, Sanford and Sevier—8.

On motion of Mr. Sibley, House joint resolution for the appointment of a joint committee to examine into the alleged frauds during the recent election ;

Was made special order for 11 o'clock to-morrow morning.

Mr. Whitney offered the following resolution,

Which was adopted :

*Resolved*, That the committee on internal improvements be instructed to report as early as practicable, a bill in relation to corporations as contemplated by article 13, of the State constitution.

Mr. Pennington offered the following resolution :

*Resolved*, That the secretary of the Senate be, and he is hereby authorized to assign a room in the capitol building to Thomas Fields for the purpose of keeping a refreshment saloon therein :

Pending its consideration,

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, November 12, 1868.

Senate met pursuant to adjournment.

Called to order by the secretary.

On motion of Mr. Sanford, Mr. Richrads was called to the chair as President *pro tem*.

Prayer by the Rev. Mr. Vanzandt of the House.

On motion of Mr. Sanford, the secretary was instructed to call the roll every day, and spread it upon the journal.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Glass, King, Lambert, Lentz, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sevier, Sibley, Whitney, Wise, Wyman and Yordy—20.

Journal of yesterday was read and approved.

Mr. Morton gave notice that he would move to reconsider the vote by which the Senate passed the bill to aid in developing the resources of Alabama.

## CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Whitney, declaring null and void certain acts ;

By Mr. Stow, for the relief of A. H. & M. L. Moses ;

By Mr. Pennington, for the relief of Reuben Trotter, and to make said Trotter a free dealer ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Mahan, to repeal an act to prohibit the sale of spirituous liquors in Shelby county ;

Which was read twice and referred to the committee on grievances and disabilities.

By Mr. Mabry, to authorize the coroner of Barbour county to appoint a deputy coroner ;

By Mr. Bromberg, for the relief of E. B. Lott, tax collector of Mobile county ;

Which bills were severally read a third time and passed.

By Mr. Wyman, to create a new county of portions of Dallas, Marengo, Perry and Wilcox counties, to be called the county of Chillatchie ;

Which was read twice and referred to the committee on municipal and county organizations.

By Mr. Yordy, to enable certain officers to collect their fees ;

Which bill was read twice and referred to the committee on fees and salaries.

By Mr. Bromberg, two memorials of Edward Brown and Bryant Wood ;

Which were read and laid on the table for the present.

Mr. Sevier offered the following resolution,

Which was adopted :

*Resolved*, That a committee of three be appointed by the President of the Senate to examine the maps of the county of Franklin, as that county existed prior to its division in 1866, in order to ascertain if there are territory and inhabitants sufficient to make two constitutional counties ; and if enough, in in what way the county might be divided in order to make two counties.

*Resolved, further*, That said committee shall report by 11 o'clock, Saturday morning, the 14th inst., or at the earliest practicable moment.

Messrs. Sanford, Mabry and Yordy were appointed said committee.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
November 12, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in the following Senate bill :

To amend an ordinance of the late constitutional convention entitled "an ordinance to stay the collection of debts."

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
November 12, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To amend section 2126 of the Revised Code ;

To amend section 3, 8 and 13 of an act in reference to the chancery courts of Alabama ;

To protect the estates of deceased persons ;

To relieve Fernando B. Poe of the disabilities of minority ;

To authorize the Governor to fill vacancies in certain county offices ;

To amend an act to allow Chas. M. Cabot and Thomas Smith to establish a ferry across the Tallapoosa river ;

To authorize the court of county commissioners to issue and sell county bonds ;

To allow appeals to the Supreme Court in certain cases.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

At 11 o'clock, the special order came up, it being the House joint resolution—

For the appointment of a joint committee to investigate alleged frauds committed during the recent election.

Senate went into committee of the whole on said joint resolution.

After remaining therein some time, the committee rose, and Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, November 13, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Farden, Hays, Lambert, Mabry, Martin, Oliver, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wyman and Yordy—17.

Journal of yesterday was read and approved.

Mr. Whitney read a letter from Mr. Coon, asking to be excused during the present session on account of the illness of his family, and he was excused.

Mr. President appointed Mr. Hays as chairman of the committee on municipal organizations ; also, in place of Mr. Lentz, on the committee on accounts and claims.

Leave of absence was granted to Mr. Pennington until Monday next.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported favorably to the bill—

To repeal ordinance No. 36 of the late constitutional convention ;

Which bill was laid on the table for the present.

With leave, Mr. McAfee introduced a bill to re-enact and perpetuate the statute laws of execution ;

Which was read and laid on the table for the present ;

Mr. McAfee, from the judiciary committee, reported favorably, with amendment, to the bill—

To empower the Governor to appoint a judge of the county court of Calhoun county ;

Which amendment was adopted, and the bill read a third time and passed.

House bill—

Supplementary to an act to change the county seat of Russell county ;

Was read three times and passed.

Mr. McAfee, from the judiciary committee, reported adversely to the bills—

For the relief of Helen M. Brady, of Blount county ;

For the relief of J. B. Billingsley, of Blount county ;

To ensure the safety of bonds or bail in civil or criminal cases ;

Which report was concurred in ;

Also, from the same committee, reported favorably to the bill—

For the relief of H. Cooper, of Tuscaloosa county ;  
Which bill was read a third time and passed.

Also, from the same committee, reported favorably with an amendment to the bill, to repeal section 3939 of the Revised Code, and for other purposes ;

Which amendment was adopted ;

And the bill was read a third time and passed—yeas 14, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hays, Mabry, McAfee, Pennington, Richards, Sibley, Stow, Wise, Worthy and Wyman—14.

Those who voted in the negative are, Messrs. Hinds, Lambert, Mahan, Morton, Oliver, Sanford, Sevier, Whitney and Yordy—9.

With leave, Mr. Pennington introduced a bill relating to the Wills Valley railroad company, and the North East and South West railroad company ;

Which was read twice and referred to a select committee, composed of Messrs. Pennington, Worthy, Barr and Hinds.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
November 13, 1868. }

*Mr. President :*

I am instructed by the House to inform the Senate of its having originated and passed the following bills :

To secure complete records in the courts in this State ;

To authorize the circuit court of Crenshaw county to hold for two weeks at each term ;

To form a new county from portions of Baldwin and Conecuh, to be called Escambia ;

For the more effectual enforcement of the criminal laws in the city of Mobile ;

To remove the county seat of Marengo county from Linden to the city of Demopolis, in said county.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

Mr. McAfee, from the judiciary committee, reported favorably, with amendments, to bill supplementary to the corporation laws of Alabama ;

Which amendments were adopted and the bill recommitted to the same committee.

On motion of Mr. McAfee, the bill to amend section 4094 of the Revised Code ;

Was made special order for 10½ o'clock to-morrow morning.

House bill—

For the relief of John A. Greathouse, of Macon county ;

Was read twice and referred to the committee on grievances and disabilities.

The Senate adjourned till 10 o'clock to-morrow morning.

SATURDAY, November 14, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Glass, Hays, Johnston, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sevier, Whitney, Wise, Worthy and Wyman—20.

Journal of yesterday was read and approved.

Mr. Worthy, from the select committee, reported favorably to bill, with amendment, relating to the Wills Valley railroad company, and the North East and South West railroad company ;

Which amendment was adopted ;

On motion of Mr. Lambert, the further consideration was postponed, and the bill made special order for 10½ o'clock to-morrow morning.

Mr. President appointed Mr. Worthy as chairman of the committee on public institutions and buildings.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 14, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

Supplementary to an act approved August 3d, 1868, for the relief of the sheriff of Coosa county ;

To authorize the institution of suits in certain cases ;

And have originated and passed a bill with the following titles :

To authorize the commissioners court of Conecuh county to levy a special tax ;

To divide the county of Sanford into commissioners districts ;

To define the boundary line between Dallas and Perry counties.

W. B. CLOUD,

Clerk of the House.

Mr. Whitney, from the committee on enrolled bills, reported as follows :

Your committee on enrolled bills, to whom was referred the following bills, have examined the same and find them correctly enrolled :

An act for the more efficient enforcement of the criminal laws and ordinances of the city of Mobile ;

An act to amend an ordinance of the late constitutional convention, entitled an ordinance to stay the collection of debts ;

An act to authorize the institution of suits in certain cases ;

An act for the relief of the sheriff of Coosa county ;

An act supplementary to an act, approved August 3, 1868.

Mr. Farden, from the committee on internal improvements, submitted the following report :

The internal improvement committee, to whom was referred that portion of the message of His Excellency, the Governor, calling the attention of the General Assembly to the subject of internal improvements and mineral resources of Alabama, beg leave to make the following report, with the accompanying bill :

The great mineral and agricultural resources of Alabama are now attracting the attention of capitalists from all portions of the United States and Europe ; representatives from England, Boston, New York and elsewhere are now in Montgomery, desirous of purchasing lands, and also anxious to build railroads, open and improve our rivers, and to build iron furnaces, rolling mills, cotton and wool factories, flouring mills, lumber mills, &c.

Your committee, believing as they do, that we have an inexhaustible supply of the finest iron, coal, timber for ship building and for general use, together with the many other minerals and salts, from which are produced alum, sulphur, mercury, glass, and other valuables of daily and general use, we have arrived at the conclusion that all the immense and invaluable



treasures must remain unproductive and undeveloped to the State and the world, unless a cheap and sure mode of transportation can be furnished to the great marts of the world, and especially to the sea coast, and principal towns and cities of our own State; and believing that such transportation can be furnished cheaper, by the improvement of our rivers, so as to make them navigable, and also to run machinery; and believing also that the welfare and best interests of the people and government demand such improvements, and also believing that the State should grant some aid to such enterprise, we recommend the passage of the following bill:

In relation to the improvement of the Coosa, Cahaba and Warrior rivers;

Which bill was read twice, and made special order for 12 o'clock, on Monday next.

Also, from the same committee, reported adversely to the bill—

To make an appropriation for the survey of the Cahaba river;  
Which report was concurred in.

Also, from the same committee, reported adversely to the bill—

To procure a geological survey of the State of Alabama;  
Mr. Sanford moved to lay the bill on the table:

Which motion was lost.

On motion of Mr. Worthy, the bill was laid on the table and made special order for 11½ o'clock on Monday next.

Mr. Sanford, from the committee on poor laws and charitable institutions, reported favorably to the bill—

For the relief of the poor of this State;

Which bill was read third time and passed.

Mr. McAfee, from the judiciary committee, reported favorably, with amendment, to the bill—

To amend an act to incorporate the N. E. and S. W. Railroad Company, approved December 12, 1853;

Which amendment was adopted and the bill read a third time and passed.

Also, from the same committee, reported favorably, with amendment, to the bill—

Supplementary to the corporation laws of Alabama;

Which amendment was adopted and the bill read a third time and passed.

Also, from the same committee, reported favorably, with amendment, to the bill—

For the more efficient execution of legal process;

Which amendment was adopted and the bill read a third time and passed.

Also, from the same committee, reported favorably to the bill—

To change the jurisdiction of the city courts of Mobile ;

Which was read a third time and passed.

Also, from the same committee, reported a substitute for the bill—

To extend the provisions of “an ordinance to stay the collection of debts ;”

Which substitute was made special order for 11 o'clock, on Tuesday next.

Mr. Whitney, from the committee on grievances and disabilities, reported favorably to the House bill—

For the relief John A. Greathouse of Macon county ;

Which bill was read a third time and passed.

Senate adjourned till 10 o'clock, Monday morning.

MONDAY, November 16, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. McCutchen, Chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Oliver, Sanford, Sevier, Sibley, Whitney, Wise, Worthy, Wyman and Yordy—18.

Journal of yesterday was read and approved.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills, &c., were introduced :

By Mr. Sibley, to amend the charter of the city of Huntsville ;

Which was read twice, and referred to the committee on municipal and county organizations.

By Mr. Whitney, for the relief of William Stringer, administrator of the estate of W. A. Ogden ;

By Mr. Wise, to amend section 2593 of the Revised Code ;

By Mr. Mabry, for the protection of practicing physicians in this State ;

By Mr. Stow, to amend an act approved Oct. 10, 1868 ;

By Mr. Bromberg, to preserve liens of judgments in cases

of new trials granted by ordinance passed December 6, 1867, &c.;

Which bills were read twice and referred to the judiciary committee.

By Mr. Mahan, for the relief of Emily J. Rottenberry, of Bibb county;

By Mr. Stow, to legalize the appointment of tax collector of Montgomery county;

Which bills were read twice and referred to the committee on grievances and disabilities.

By Mr. Farden, to authorize the Georgia Western Railroad company to extend and construct their road from the Georgia line to the town of Decatur, on the Tennessee river;

To aid in the improvement and opening of the Cahaba river to navigation;

Which were read twice and referred to the committee on internal improvements.

At 10½ o'clock, the special order came up, it being the bill—

Relating to the Wills Valley Railroad company and the Northeast and Southwest Railroad company.

Mr. Bromberg moved to amend at the end of section 1, as follows:

Provided, further, That said securities shall be either matured State bonds, U. S. treasury notes, or legal tender notes;

Which amendment, on motion of Mr. Foster,

Was laid on the table.

Bill was read a third time and passed;

Yeas 23, nays 4.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Richards, Sanford, Stow, Whitney, Wise, Worthy, Wyman and Yordy—22.

Those who voted in the negative are, Messrs. Bromberg, McAfee, Sevier, and Sibley—4.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported adversely to bills—

To authorize the judge of probate of Choctaw county to levy the county tax for 1868;

For the relief of W. J. Maxwell of Montgomery county;

Declaring null and void certain acts;

Which reports were severally concurred in.

Also, from the same committee, reported favorably to the bill—

For the protection of mortgagees and *cestui que trusts* ;

Bill was read a third time and passed ;

Yeas 15, nays 2.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Johnston, King, Mabry, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg and Worthy—2.

Mr. King was excused from voting.

Also, from the same committee, reported favorably, with amendments, to the bill—

For the relief of A. H. & M. L. Moses.

Consideration of bill and amendments was suspended.

At 11 o'clock, the special order came up, it being the bill—

To procure a geological survey of the State of Alabama.

Mr. Worthy moved to amend, as follows :

Provided, That Samuel S. Graham, of Coosa county, be appointed State Geologist ;

Which amendment, on motion of Mr. Whitney,

Was laid on the table.

Bill was then read a third time and lost ;

Yeas 10, nays 15.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Glass, Hinds, Martin, Morton, Pennington, Richards, Stow, and Whitney—10.

Those who voted in the negative are, Messrs. Barr, Foster, Jones, King, Mabry, Mahan, McAfee, Oliver, Sanford, Sevier, Sibley, Wise, Worthy and Yordy—15.

Mr. Barr gave notice that he would move to reconsider said vote.

Mr. President announced that he was requested to say that all the members of Senate were invited to attend State agricultural fair.

On motion of Mr. McAfee,

The thanks of the Senate were tendered to Mr. Samuel G. Reid, proprietor or manager of the State fair.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
November 16, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following bills :

To amend the charter of the Alabama Mutual Life Insurance company of Selma, Ala. ;

To make valid a marriage solemnized between Edmund Anderson and Mary Strimple, otherwise called Mary Reynolds ;

To invest Edmund Andrews with the legal title to certain real estate in the city of Mobile.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
November 16, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bill :

To aid in developing the resources of Alabama.

Very respectfully,

WM. B. CLOUD, Clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Whitney submitted the following report :

Your committee on enrolled bills have examined bill of the following title, and find it correctly enrolled :

To aid in developing the resources of Alabama.

CHAS. O. WHITNEY, Chairman.

Senate adjourned till 10 o'clock to-morrow morning.

SENATE CHAMBER, }  
Tuesday, November 17, 1868. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Glass, Hays, Johnston, King,

Lambert, Mabry, Mahan, Martin, Oliver, Royal, Sanford, Sevier, Sibley, Stow and Yordy—17.

Call of the districts was suspended, in order to consider reports from standing committees.

Bill for the relief of A. H. & M. L. Moses, reported favorably on yesterday by the judiciary committee,

Was taken up.

Mr. Lambert moved to postpone the bill and amendments, and make them special order for 11 o'clock to-morrow ;

Which motion was lost.

On motion of Mr. Whitney, the bill and amendments were laid on the table.

Message from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills to be entitled as follows :

For the more effectual enforcement of the criminal laws and ordinances in the city of Mobile ;

Supplementary to an act approved August 3, 1868 ;

To amend an ordinance of the late constitutional convention, entitled "An ordinance to stay the collection of debts ;"

For the relief of the sheriff of Coosa county ;

To authorize the institution of suits in certain cases ;

To aid in developing the resources of Alabama.

Very respectfully,

D. L. DALTON, Private Secretary.

Senate took a recess for fifteen minutes.

After the recess, the Senate was called to order by Mr. President.

Mr. McAfee, from the judiciary committee, reported adversely to the bill—

In relation to appeals from justice's courts and from circuit courts ;

Which report was not concurred in.

Mr. Sevier moved to strike out the words, "without security."

Mr. Farden moved to amend the amendment, by adding "chancery and supreme courts ;"

Which amendments,

On motion of Mr. Whitney, were laid on the table.

On motion of Mr. Whitney,

All of the bill, after and including the word "likewise," was stricken out.

Mr. Sevier moved to amend, as follows :

Provided, That an appeal shall not be taken to any court beyond the justice's court, for any amount under the sum of \$100, without security ;

Which amendment, on motion of Mr. Whitney, was laid on the table.

Mr. Sevier moved to lay the bill on the table ;

Which motion was lost ;

Yeas 6, nays 19.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, McAfee, Oliver, Richards and Sevier—6.

Those who voted in the negative are, Messrs. Farden, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Martin, Morton, Pennington, Royal, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—19.

Mr. Bromberg moved to amend, as follows,

Which was adopted :

Provided, That the provisions of this act shall not apply to appeals from decisions rendered in municipal courts when the amount does not exceed \$25.

Mr. Sevier moved to amend, as follows :

Provided, That this act shall include criminal cases ;

Which amendment, on motion of Mr. Worthy, was laid on the table.

Mr. Sevier moved to postpone the further consideration of the bill until 12 o'clock on Thursday next ;

Which motion was lost.

On motion of Mr. Worthy,

The bill was amended, as follows :

" And that he has good ground for action of defense."

Bill was read a third time and passed ;

Yeas 22, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Hays, Hinds, Johnston, Mabry, Mahan, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—22.

Mr. Oliver voted in the negative—1.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 17, 1868. }

*Mr. President :*

I am directed by the House of Representatives to inform

the Senate of its having originated and passed the following bill :

To repeal section 11 of ordinance No. 36 ;

To define presumptions of law in certain cases ;

To authorize Wm. Falconer to qualify and give bond as tax collector of Montgomery county ;

To protect elected and appointed officers of the State of Alabama ;

For the protection of the State of Alabama for certain school lands that have or may hereafter be sold ;

To make Mrs. Hardenia Robinson, wife of E. P. Robinson, of Autauga county, a free dealer ;

To fix the time of the annual sessions of the General Assembly of Alabama ;

To authorize the probate court to render decrees in certain cases ;

To fix the time of holding the city court of Montgomery ;

To prevent trespass by camp hunters in Coosa county ;

To amend section 3489 of Revised Code of Alabama ;

To legalize certain ordinances ;

To provide for holding the probate court of Butler county in the city of Montgomery.

WM. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
November 17, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed the following Senate bills :

Bill to authorize the consolidation of the Northeast and Southwest Alabama Railroad company with the Wills Valley Railroad company, and to provide for the organization of the corporation formed by such consolidation, and to give it the benefit of the State's endorsement of its bonds ;

To empower the Governor to appoint a judge of the county court of Calhoun county ;

Supplementary to the corporation laws of Alabama.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

Mr. Pennington introduced a joint resolution—



Relating to joint committee to investigate outrages and acts of violence ;

Which was read and laid over.

Mr. Farden introduced a bill—

For the relief of debtors and for the adjustment of debts upon principles of equity ;

Which was read twice and referred to the judiciary committee.

Senate then adjourned till 10 o'clock to-morrow morning.

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SENATE CHAMBER,  
November 18, 1868. }

Senate met pursuant to adjournment.

Called to order by the Secretary.

On motion of Mr. Lambert, Mr. Worthy was called to the chair.

Prayer by the Chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Bromberg, Farden, Foster, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Whitney and Worthy—  
19.

Journal of yesterday was read and approved.

Call of the districts was suspended.

House bill—

To authorize the Governor to fill vacancies in certain offices ;

Were read twice and referred to the committee on privileges and elections.

House bill—

To amend section 2131 of the Revised Code ;

Was read twice and referred to the judiciary committee.

House bill—

To provide for the pay of the members and officers of the General Assembly of Alabama :

Was read twice ;

Mr. Bromberg moved to amend, as follows :

Provided, That no member of the General Assembly shall be allowed pay for the time for which he shall have been absent from duty ;

Which amendment was, on motion of Mr. Pennington, laid on the table ;

Mr. Sanford moved to amend as follows :

That the claims of the members and officers of the General Assembly shall be preferred claims on the treasury ;

Mr. Barr moved to lay said amendment on the table ;

Which motion was lost—yeas 9, nays 17.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Mabry, McAfee, Richards, Stow and Yordy—9.

Those who voted in the negative are, Messrs. Foster, Hays, Hinds, Johnston, Lambert, Mahan, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Whitney, Wise and Worthy—17.

Mr. Pennington gave notice that he would move to reconsider said vote.

Mr. Sibley moved to reconsider said vote ;

Which motion, on motion of Mr. Sanford,

Was laid on the table ;

Mr. Sanford's amendment was then adopted ;

And the bill read a third time and passed.

On motion of Mr. Bromberg, the memorial of Edward Brown and Bryant Wood, was taken from the table, and referred to the joint committee on outrages.

Mr. Richards offered the following resolution,

Which was adopted :

*Resolved*, That 2,500 copies of the resolution entitled "House joint resolution to appoint a joint committee in accordance with the recommendation of Governor Smith," be printed.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Hays, Johnston, Mabry, McAfee, Martin, Morton, Pennington, Richards, Sibley, Stow, Whitney and Yordy—15.

Those who voted in the negative are, Messrs. Lambert, Mahan, Oliver, Royal, Sanford, Sevier and Worthy—7.

Mr. Whitney, from the committee on enrolled bills, reported as follows :

Your committee on enrolled bills, to whom was referred bills of the following titles, have examined the same, and find them correctly enrolled :

An act supplementary to the corporation laws of Alabama ;

An act to empower the Governor to appoint a judge of the county court of Calhoun county.

House bills—

NO PAGE  
AVAILABLE FOR  
273 thru 276

It appears there was a error in numbering of the pages.

NO PAGE  
AVAILABLE FOR  
273 thru 276

It appears there was a error in numbering of the pages.

NO PAGE  
AVAILABLE FOR  
273 thru 276

It appears there was a error in numbering of the pages.

NO PAGE  
AVAILABLE FOR  
273 thru 276

It appears there was a error in numbering of the pages.

To make valid a marriage solemnized between Edmund Andrews and Mary Strimple, otherwise called Mary Reynolds;

To invest Edmund Andrews with the legal title to certain real estate in the city of Mobile ;

Were severally read twice and referred to the judiciary committee.

House Bill—

To form a new county from portions of Baldwin and Conecuh, to be called the county of Escambia ;

Was read twice and referred to the committee on municipal and county organizations ;

House bill—

To authorize William Falconer, of Montgomery county, to qualify and give bond as tax collector of Montgomery county, was read ;

On motion of Mr. Barr, the bill was indefinitely postponed ; yeas 18, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hays, Hinds, McAfee, Martin, Morton, Pennington, Richards, Royal, Sevier, Sibley, Stow, Whitney, Worthy and Yordy—18.

Those who voted in the negative, are Messrs. Johnston, Lambert, Mabry, Mahan, Oliver, Sanford and Wise—7.

Senate adjourned till 10 o'clock Friday morning.

FRIDAY, November 20, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Foster, Glass, Hays, Hinds, Johnson, Jones, King, Lambert, Martin, Mahan, Mabry, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Wise, Whitney, Worthy and Yordy—20.

Journal of yesterday was read and approved.

Mr. Whitney offered the following resolution,

Which was adopted :

*Resolved*, That any senator who shall appear in his seat before the minutes are read and approved, shall be allowed to have his name entered on the journal as present.

## CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Worthy, for the relief of W. C. Wood, of Pike county, and Thomas P. Cottle, of Covington county ;

Which bill was read three times and passed.

Mr. Worthy gave notice that he would move to reconsider the vote by which the senate indefinitely postponed the House bill—

To authorize William Falconer to qualify as tax collector of Montgomery county ;

By Mr. Bromberg, to amend an act to authorize the Mobile and Great Northern railroad company and the Alabama and Florida railroad company of Alabama, to consolidate, &c., approved August 5, 1868 ;

Which bill was read twice ;

On motion of Mr. Worthy, the bill was amended, as follows :

Provided, That nothing in this act shall hinder the said consolidated company from completing the Great Northern railroad from the same as by law allowed, to Troy, Pike county, Alabama ;

As amended, the bill was read a third time and passed.

By Mr. Bromberg, to authorize the formation of boards of trade in the several cities of this State ;

Which bill was read twice and referred to a select committee, composed of Messrs. Bromberg, Worthy and Sanford.

By Mr. Hays, in relation to the enclosure of stock in Greene county ;

Which bill was read three times and passed.

By Mr. Jones, to amend section 3016 of the Revised Code ;

Which bill was read twice and referred to the judiciary committee.

By Mr. Jones, to incorporate the Selma and Memphis railroad company ;

To incorporate the Middle Alabama railroad company ;

To amend section 8 of an act to incorporate the New Orleans and Selma railroad company, approved February 23, 1866 ,

Authorizing the consolidation of railroad companies in the State of Alabama ;

Which bills were severally read twice and referred to the committee on internal improvements.



By Mr. Jones, memorial of R. M. Robinson, of the New Orleans and Selma railroad company ;

Which was read and referred to a select committee, composed of Messrs. Jones, Farden and Pennington ;

To declare Mary S. Glover of Greene county a free-dealer ;

Which bill was read three times and passed.

By Mr. Hays, to repeal "An act to authorize persons to keep and use skiffs and other water crafts therein named, for conveying foot passengers across the Black Warrior river, opposite the city of Tuscaloosa ;

Which bill was read three times and referred to the committee on grievances and disabilities.

By Mr. Hays, to define the commissions on sales of registers in chancery ;

Which bill was read twice and referred to a select committee composed of Messrs. Richards, Hays and Sevier.

By Mr. Johnston, in relation to the assessment and collection of taxes of Tuscaloosa county ;

Which bill was read twice and referred to the committee on taxation.

Leave of absence was granted for the balance of this day, to Messrs. Pennington, Whitney, Farden and Hays.

Mr. Farden, from the committee on internal improvements, reported favorably with amendment, to the bill to authorize the Georgia Western railroad company to extend and construct their road, &c. ;

Which amendments were adopted,

And the bill read a third time and passed.

Mr. Sibley, from the committee on privileges and elections, reported favorably to the House bill—

To authorize the Governor to fill vacancies in certain cases ;

Mr. Foster moved to amend as follows :

"Except the sheriff appointed, who shall hold office until November, 1871, the day for the election for sheriff";

Which amendment was lost ;

Mr. Lambert moved to strike out "county commissioners ;

Which motion, on motion of Mr. Farden, was laid on the table ;

Pending the consideration of the bill—

Senate adjourned till 10 o'clock to-morrow morning.

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SATURDAY, November 21, 1868.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Vanzandt, of the Senate.

On call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Foster, Glass, Hays, Johnston, King, Lambert, Mabry, Martin, Morton, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—20.

Journal of yesterday was read and approved.

Mr. Hays, offered the following resolution,

Which was adopted :

*Resolved*, That on Monday next, immediately after the reading of the journal, the Senate will take up the unfinished House messages of the July session, and three days of each week shall be devoted to them until disposed of.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Stow, for the relief of the minor heirs and distributees of Thomas M. Cowles, deceased.

By Mr. Pennington, to alter and amend section 1410 of the Revised Code ;

For the relief of Rebecca A. Finch of Lee county ;

For the protection of sheriffs and others ;

For the relief of Wm. E. Jeffcoat of Crenshaw county :

By Mr. Wise, for the relief of William J. Mays of Chambers county ;

To authorize the court of county commissioners of Cleburne county to issue county treasury notes ;

To compel the attendance of witnesses in criminal prosecutions ;

By Mr. Sibley, to repeal section 2372 of the Revised Code ;

By Mr. Hinds, to prevent marauding and depredations on the lands of others by parties with dogs and guns ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Mabry, for the relief of John D. West of Bullock county ;

By Mr. Pennington, for the relief of Jerry A. Guy of Lee county ;

By Mr. Mahan, for the relief of Walter D. Wilson of Bibb county ;

By Mr. Sibley, to authorize the commissioners courts of Lowndes and Choctaw counties to levy an additional tax ;

Which bills were severally read three times and passed.

By Mr. Pennington, to authorize the Governor to issue a patent to John G. Harris;

Which bill was read twice and referred to the committee on education.

By Mr. Lambert, joint resolution providing for a joint committee to consider relative to the jurisdiction of notaries public, &c. ;

Which was adopted, and Messrs. Lambert and Hays were appointed the committee on the part of the Senate.

By Mr. Whitney, for the relief of Preston Woolly of Jackson county ;

Which bill was read twice and referred to the committee on grievances and disabilities.

By Mr. Sibley, for the protection of the people of Alabama;

Which was read twice.

Mr. Sibley moved to amend the preamble ;

Mr. Worthy moved to amend said amendment by adding " Loyal Leaguers ;"

On motion of Mr. Whitney, the amendment to the amendment was laid on the table ;

Bill and amendment were referred to the joint committee on outrages.

By Mr. Sibley, to secure mileage to sheriffs and other officers ;

Which bill was read twice and on motion of Mr. Whitney, laid on the table.

By Mr. Sevier, to authorize the administratrix of the estate of Isaac Winston, deceased, to compromise with the debtors of the estate ;

Which bill was read twice and referred to a select committee composed of Messrs. Worthy, Whitney and Bromberg.

Mr Barr, explained his absence from the Senate yesterday on account of illness.

Leave of absence was granted to Mr. Pennington for the balance of this day.

Mr. Bromberg, from select committee, reported favorably to to the bill—

To authorize the formation of boards of trade in the several cities of the State ;

Which bill was read a third time and passed.

House bill—

To authorize the Governor to fill vacancies in certain county offices, came up as unfinished business.

Mr. Sibley offered two amendments, which were adopted ;

Bill as amended, was read a third time and passed.

## MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
November 21, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate bill of the following title:

For the relief of J. C. Thompson of Choctaw county.

Very respectfully, W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
November 21, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles:

To appoint administrators in certain cases;

To authorize James H. Jarrett to practice medicine, and charge for the same;

To authorize the commissioners courts of St. Clair, Calhoun, Bibb, Franklin, Blount and Covington counties to levy an additional tax for the year 1869, to pay off the indebtedness of said counties;

To authorize the court of county commissioners of the county of Clay to cause to be levied a special tax for certain purposes therein named;

To make Mrs. Rachel Marks, wife of Jacob Marks, of Montgomery county, a free dealer;

For the relief of officers of Covington county;

To amend section 4053 of the Revised Code of Alabama;

To construe section 1234 of the Revised Code of Alabama, and to define the rights and privileges of regular graduates of medical colleges in the United States;

For the relief of defendants in certain judgments and decrees;

To empower the probate judge of Elmore county to issue search warrants;

To amend section 4340 of the Revised Code of Alabama;

To authorize James Simpson of St. Clair county to practice medicine and charge therefor;

To authorize judges of probate to make amendments *nunc pro tunc*;

To restrain the tax collector of Limestone county from collecting the taxes authorized to be assessed by an act to authorize the court of county commissioners of Limestone coun-

ty, Alabama, to subscribe to the capital stock of the Tennessee and Alabama Central Railroad company ;

Also, the following joint resolutions :

In relation to appointing a joint committee to examine certain lands in the town of Talladega ;

In relation to appointing a joint committee to inquire what legislation is necessary to harmonize existing laws with the constitution.

WM. B. CLOUD, Clerk of House.

Senate adjourned till 9 o'clock Monday morning.

MONDAY, November 23, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Farden, Hays, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Richards, Royal, Sanford, Sibley, Whitney, Worthy, Wyman and Yordy—17.

Journal of Saturday was read and approved.

Mr. Bromberg introduced joint resolutions—

In relation to national aid for works of internal improvements in the State of Alabama ;

Which was read three times and passed, and ordered forthwith to the House.

House messages of the July session were taken up.

On motion of Mr. Hays, the House was requested to return the Senate bill—

For the formation of boards of trade in the several cities of this State ;

Senate concurred in the amendment of the House to the Senate bill—

To ratify and confirm the election of commissioners of revenue in Mobile county in February last.

House bills—

To amend section 3016 of the Revised Code ;

To fix the time of holding the city court of Montgomery ;

Which bills were severally read three times and passed.

House bill—

To relieve certain citizens of Dallas, Perry and Marengo counties ;

Which bill was read twice and referred to the committee on municipal and county organizations.

House joint resolution—

Fixing the pay of the members and officers of the Legislature ;

Was read a second time and laid on the table.

House bills—

To authorize the probate judge of Russell county to remove his office ;

For the registration of the qualified electors of the State of Alabama ;

Were severally read a second time and laid on the table.

House bill—

To extend the jurisdiction of justices of the peace in Hale county ;

Was read a third time and laid on the table.

House bill—

To prevent the fraudulent disposal of mortgaged property ;

Was read and indefinitely postponed.

House bill—

To amend the charter of the city of Mobile ;

Which bill was read twice and referred to the committee on municipal and county organizations.

House bill—

To regulate the sales of property under legal process in this State ;

Was read a third time and laid on the table.

House bill—

To regulate and fix the time of holding the city court of Montgomery ;

To have printed 10,000 copies of the report of the commissioner of immigration ;

A proposition of John Hardy to execute the public printing ;

To amend an act to lay off and divide the State into 12 judicial circuits, &c. ;

Were severally read and laid on the table.

House bills—

To remove the administration of the estate of J. M. McClure ;

To lay off the county of Coosa into commissioners districts ;

Were severally read twice and laid on the table.

Mr. McAfee, from the joint committee on outrages, reported three bills ;

Which were read, laid on the table and 150 copies of each ordered to be printed.

Mr. Hays offered a joint resolution authorizing the Governor to offer a reward for certain assassins ;

Which was read three times and passed—yeas 26, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Glass, Hays, Hinds Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Wyman, and Yordy—26.

Mr. Worthy voted in the negative—1.

Mr. Worthy presented the following protest against the passage of said joint resolution :

*Mr. President :*

I respectfully ask that I may be allowed to enter upon the journal of the Senate my protest to the passage of the joint resolution, for the following reasons :

1st.—That there is not sufficient evidence before the Senate to satisfy my mind that such extraordinary steps should be taken.

A. N. WORTHY.

Mr. Foster introduced a bill for the protection of married women and minors ;

Which was read twice and referred to the judiciary committee.

House bill—

To authorize the levy and collection of a special tax in Coffee county for the purposes therein named :

Was read twice.

Bill was amended to include the counties of Marengo, Jackson, Fayette, Tuskaloosa, Madison and Choctaw, and then read a third time and passed.

House bill—

For the relief of the maimed in this State ;

Was read twice.

Mr. Whitney offered an amendment ;

Bill and amendment was referred to a select committee composed of Messrs. Sevier, Oliver and Morton.

House bill—

To authorize the auditor to furnish each county with such books and assessment lists as shall be necessary for the use of each tax assessor and collector ;

Was read and referred to the committee on taxation.

House bill—

To amend section 1998 of the Revised Code ;

Was read twice and referred to the judiciary committee.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
November 23, 1868. }

*Mr. President :*

I am directed to inform the Senate of its having concurred in the passage of the Senate bill —

To be entitled an act to amend an act to incorporate the North East and South West Railroad Company, approved December 12, 1853.

In accordance with the request of the Senate, I am directed by the House to return the bill "To authorize the formation of boards of trade in the several cities of this State."

Very respectfully,      W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, November 24, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Wise, Worthy, Wyman and Yordy—24.

Journal of yesterday was read and approved.

Mr. Whitney was excused on account of sickness.

Leave of absence was granted to Mr. Mahan for a few days.

House bill—

To establish a medical board in Lee county :

For the relief of the administrators of the estate of George Simpson, deceased ;

To regulate the punishment of female convicts ;

To authorize the court of county commissioners of Bullock county to issue bonds ;

Were severally read three times and passed.

House bills—

To ratify and confirm an election held for justices of the peace and constables in the several wards of the city of Mobile ;

To repeal an act therein named ;

For the relief of the tax assessor of Conecuh county ;



To authorize the employment of servants for the capitol and State offices ;

For the relief of certain persons therein named ;

Authorizing the appointment of an additional member of the committee to examine the Code ;

For the relief of certain judgment defendants ;

To regulate judicial proceedings ;

To establish laws for the State ;

To define the presumptions of law in certain cases ;

To secure the collection of fees and costs ;

To amend an act to allow C. M. Cabot and Thomas C. Smith to establish a ferry across the Tallapoosa river ;

Were severally read twice and laid on the table.

House bill—

To authorize A. L. Holman to establish a ferry across the Perdido river ;

Was read twice, and referred to the committee on internal improvements.

House bill—

For the relief of J. V. Trammell and the securities on his official bond ;

Was read and ordered to a second reading.

Mr. President announced Messrs. Hays and Barr as members of the committee on internal improvements.

House bills—

To authorize a new trial in a certain case ;

For the relief of John S. Tate, administrator of the estate of Joseph Hough, deceased ;

To regulate the terms of the 4th and 5th judicial circuits ;

To authorize the city council of Montgomery to establish a work-house ;

To amend sections 2877 of the Revised Code ;

Which bills were severally read twice and referred to the judiciary committee.

House bills—

To prevent damages to land owners in Washington county by overflow of water ;

Was read twice and referred to the committee on grievances and disabilities.

House bill—

To amend section 962 of the Revised Code ;

Which bill was read twice and referred to the committee on education.

House bill to authorize the citizens of Orion, Pike county, to hold an election for officers ;

Was read twice.

Bill was amended to apply to the city of Demopolis ;

Also, changing the time to 1st Tuesday in January, 1869.

As amended, bill was read a third time and passed.

House bill for the relief of John McLean, of Jones county ;

Was read twice and laid on the table.

The following message was received from the Governor :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has this day approved and signed bills to be entitled :

An act supplementary to the corporation laws of Alabama ;

To empower the Governor to appoint a judge of the county court for Calhoun county.

Very respectfully,

D. L. DALTON, private secretary.

Mr. Sevier, from the select committee, reported favorably, with amendment, to the bill—

For the relief of the maimed in this State.

Mr. Farden moved to amend the first amendment of the committee, so as to include "all the women in this State ;"

Which amendment was laid on the table.

Mr. Mabry moved to amend the amendment, as follows :

"Allowing all widows who lost their husbands in the late war, while they remain widows ;"

Which amendment was laid on the table.

Mr. Jones moved to amend the amendment, as follows :

"That all delicate male persons not able to make a living through bodily exertion and labor";

Which amendment was laid on the table.

Mr. Farden moved to amend the amendment, as follows :

"Include all the widows in Alabama ;"

Which amendment was laid on the table.

Mr. Farden moved to amend the amendment, as follows :

"Include all free dealers ;"

Which amendment was laid on the table.

The first amendment of the committee was then adopted.

Mr. Pennington moved to strike out the oath to the second amendment ;

Which motion was lost—yeas 8, nays 13.

Those who voted in the affirmative are, Messrs. Barr,

King, Mabry, Martin, Pennington, Sanford, Stow and Yordy—8.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, Hays, Lambert, Mahan, McAfee, Morton, Oliver, Richards, Sibley, Whitney and Wise—13.

On motion of Mr. Sanford, the following additional section was adopted :

Section 2. Be it further enacted, That those availing themselves of the benefit of this act shall pay taxes on the amount by them sold as merchants are now taxed by law.

Bill, as amended, was read a third time and passed.

House bill to amend section 3714 of the Revised Code ;

Was read twice and indefinitely postponed.

House bill to require tax collectors to pay over to the treasury ;

Was read twice.

Mr. Jones moved to amend so as to “compel tax collectors to pay over to the State treasurer, taxes collected every three months, instead of at the end of each month ;”

Which amendment was laid on the table.

Mr. Bromberg moved to amend as follows :

“Whenever the State treasurer shall require it.”

On motion of Lambert, the bill and amendment were laid on the table ;

Yeas 10, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Hays, Hinds, Jones, King, Lambert, Oliver, Sibley, Stow and Wyman—10.

Those who voted in the negative are, Messrs. Bromberg, Farden, Foster, Martin, Morton, Royal, Sanford, Sibley, and Yordy—9.

House bill to establish a medical board in Lawrence county, Was read twice.

Mr. Jones moved to amend so as to include Drs. Ruslin, Bailey and Petty as a medical board for Marengo county.

Bill and amendment were referred to a select committee composed of Messrs. Foster, Sevier and Jones.

House bill to repeal section 11 of ordinance No. 36, &c. ;

Was read three times and passed ;

Yeas 21, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Glass, Hays, Hinds, Jones, King, Lambert, Mabry, Martin, Oliver, Royal, Sanford, Sevier, Sibley, Wise, Worthy, Wyman and Yordy—21.

Mr. Morton voted in the negative—1.

House bill to abolish the office of solicitor of judicial circuits and to prescribe the duties of county solicitors ;

Was read twice and referred to the judiciary committee.

Mr. Lambert introduced a bill—

For the relief of Walter Ross and Wiley D. Ross of Lee county ;

Which was read three times and passed.

Also, a bill for the relief of Elizabeth G. Read, of the county of Lee ;

Which was read twice.

Mr. Jones moved to amend to include Elizabeth P. Parker, wife of Soc. Parker, of Sumter county, which was accepted.

Pending consideration of the bill,

Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, November 25, 1868.

Senate met pursuant to adjournment.

Mr. Worthy was called to the chair temporarily.

Prayer by the Chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Jones, King, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Wise, Worthy, Wyman and Yordy—23.

Journal of yesterday was read and approved.

Mr. Hays, from the select committee, reported favorably to the bill to define the commissions on sales of registers in chancery ;

Which bill was ordered to a third reading.

Mr. Sevier, from a select committee, reported a substitute for the bill to authorize the administrators of the estate of Isaac Winston, deceased, to compromise with the debtors of the estate ;

Which substitute was adopted ;

And the bill was read a third time and passed.

Mr. Foster, from the select committee, reported adversely to the House bill—

To establish a medical board in Lawrence county ;

Which report was concurred in.

House bill—

For the relief of J. V. Trammell, and the securities on his official bond ;

Was read a third time and passed.

Mr. Pennington offered the following resolution :

*Resolved*, That when the Senate adjourn this day, it adjourns to meet again at 10 o'clock Friday morning, to enable senators properly to observe to-morrow as a day of Thanksgiving and Prayer, as recommended in the proclamation of His Excellency William H. Smith.

Mr. President ruled that hereafter, under the provisions of the constitution, senators introducing bills, in order to have the constitutional rule suspended on the same day, must show reasons for "urgency."

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills, &c., were introduced :

By Mr. Sevier, to organize the Northern chancery division of the State of Alabama, and to provide for holding the courts therein ;

Which bill was read twice and referred to a select committee, composed of Messrs. Sevier, Mabry and Glass.

By Mr. Sevier, to regulate and establish legal proceedings in Franklin county ;

By Mr. Sanford, to repeal chapter 4, title 1, part 3, of the Revised Code ;

By Mr. Wise, to repeal section 4096 of the Revised Code ;

By Mr. Foster, to repeal section 2, of ordinance No. 5 of the convention, adopted September 21, 1865 ;

By Mr. Barr, to amend section 2351 of the Revised Code ;

To confer equity jurisdiction upon the circuit courts of Alabama ;

By Mr. Worthy, to open judgments and grant new trials in certain cases ;

Which bills were read twice and referred to the judiciary committee.

By Mr. Sevier, to provide for obtaining divorce in courts of probate ;

By Mr. Hinds, to regulate the official printing of the probate courts of the counties of Blount, Marion, Walker, Winston and Choctaw ;

By Mr. Mabry, for the relief of Mary West, of Barbour county ;

By Mr. Farden, to authorize Absalom Jackson, of Elmore county, to sell certain lands, &c. ;

By Mr. Pennington, to regulate the keeping and maintenance of prisoners ;

For the relief of certain persons therein named ;

To facilitate the trial of divorce suits in circuit courts ;

By Mr. Stow, to amend an act to incorporate the Mountain Railroad Contracting Company ;

To amend an act entitled an act to amend an act to incorporate the South and North Alabama Railroad Company ;

To amend section 3515 of the Revised Code, so far as relates to commissions on sales made by registers in chancery ;

By Mr. Wyman, to authorize the county commissioners of Perry county to assess a special tax ;

By Mr. Yordy, to authorize Attoway R. Davis, late general administrator of Greene county, to appear in the probate court of said county and make settlement of all estates wherein he was either administrator or executor ;

By Mr. Barr, to provide for the adjustment of and payment of claims against the State of Alabama ;

By Mr. Whitney, to amend the revenue laws of Alabama ;

Which bills were severally read and ordered to a second reading.

By Mr. Sanford, to repeal an ordinance to abolish the county of Baine, &c. ;

Which bill was read three times and passed—yeas 23, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hindz, Jones, King, Lambert, Mabry, Martin Morton, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—23.

By Mr. Wise, to repeal section 437, paragraph 13 and 14 of the Revised Code ;

Which bill was read twice and referred to the committee on taxation ;

By Mr. Farden, (with petition) to amend section 7 of an act to incorporate a Toll Bridge over the Coosa river at Wetumpka ;

By Mr. Pennington, to amend an act to incorporate the Macon County Railroad Company ;

Which bills were severally read twice and referred to the committee on internal improvements.

By Mr. Farden, to amend “an act to loan and appropriate the three per cent fund and its interest,” and repeal certain parts thereof ;

Which bill was read twice.

Mr. Hays moved to lay the bill on the table, which was lost—yeas 9, nays 14.

Those who voted in the affirmative are, Messrs. Hays, Hinds, Martin, Oliver, Sanford, Sevier, Worthy and Wyman—9.

Those who voted in the negative are, Messrs. Barr, Bromberg, Farden, Foster, Glass, Jones, Lambert, Mabry, Pennington, Sibley, Stow, Whitney, Wise, and Yordy—14.

Mr. Jones moved to print the bill, which motion was lost—yeas 12, nays 13.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Glass, Jones, Martin, Pennington, Sevier, Sibley, Stow, and Wise—12.

Those who voted in the negative are, Messrs. Buckley, Hays, Hinds, Lambert, Mabry, Morton, Oliver, Royal, Sanford, Whitney, Worthy, Wyman and Yordy—13.

Bill was ordered to a second reading.

By Mr. Stow, to continue to the Western Railroad Company the benefit of an act directing the delivering to the Western Railroad Company, of a certain bond given to the State of Alabama, by the Alabama and Mississippi River Railroad Company, for a portion of the two per cent fund ;

Which bill was read twice and referred to the committee on finance.

By Mr. Stow, for the relief of John R. Baldrick and Francis M. Barrett of Montgomery county ;

By Mr. Hays, to authorize the court of probate of Pickens county to issue certain letters of administration ;

By Mr. Jones to authorize the tax collector of the city of Demopolis to collect the taxes of said city ;

Which bills were severally read three times and passed.

House bill—

For the relief of certain judgment defendants ;

Was taken from the table, read a second time and referred to the judiciary committee.

Senate bill—

To authorize the formation of boards of trade in the several cities in this State ;

As amended by the House, was taken up ;

The first amendment was adopted—yeas 17, nays 6.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, Hays, Jones, King, Mabry, Martin, Pennington, Sevier, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—17.

Those who voted in the negative are, Messrs. Hinds, Lambert, Morton, Oliver, Royal, and Sanford—6.

The 2d amendment was adopted.

Mr. Worthy, from the judiciary committee, reported back the bill for the relief of debtors and the adjustment of debts upon principles of equity, and 150 copies of said bill were ordered to be printed.

On motion of Mr. Pennington, the report and bills reported by the joint committee on outrages, were made special order for 11 o'clock on Friday next.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 26, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having amended and passed the following Senate bills :

To authorize the formation of boards of trade in the several cities in this State ;

And has originated and passed the following bills :

To transfer the books and papers from the county of Jones to the county of Sanford ;

Also, a bill supplemental to an act to incorporate the town of Troy, in the county of Pike, and for other purposes.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 10 o'clock Friday morning.

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FRIDAY, November 27, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richards of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Farden, Foster, Glass, Johnston, Jones, King, Lambert, Mabry, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wyman and Yordy—21.

Journal of Wednesday was read and approved.

Call of the districts was suspended.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported favora-



bly to the bill to provide for fuel, lights and stationery for public offices and jails ;

On motion of Mr. Worthy, the bill was amended so as to read, "as now required by law ;"

As amended, the bill was read a third time and passed.

Also, from the same committee, reported adversely to the bill to amend sub-division 6, of section 711 of the Revised Code ;

Which report was concurred in ;

Also, from the same committee, reported a substitute for the bill to grant new trials in certain cases ;

Which substitute was adopted ;

And the bill ordered to a third reading ;

Mr. Worthy, from the same committee, reported favorably to the bill to make the separate estate of a married woman liable in certain cases ;

Mr. Whitney, moved to lay the bill on the table ;

Which motion was lost ;

Bill was ordered to a third reading ;

Also, from the same committee, reported favorably to the bill to amend section 3016 of the Revised Code ;

Which bill was ordered to a third reading ;

Also, from the same committee, reported adversely to the bill to amend section 1410 of the Revised Code ;

Which bill was recommitted to the same committee ;

Also, from the same committee, reported adversely to the bill to prevent the usurpation of official power ;

Which report was concurred in ;

Mr. McAfee, from the same committee, reported favorably to the bill for the relief of Rebecca A. Fitch, of Lee county ;

Which bill was ordered to a third reading.

At 11 o'clock, the special order came up, it being the bill reported by the joint committee on outrages ;

The three bills were read in full.

On motion of Mr. Bromberg, the consideration of the first two bills was postponed in order to take up the third ;

The Senate went into committee of the whole on said bill ;

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages ;

Mr. Pennington was called to the chair ;

After continuing in committee of the whole for some time, the committee rose, reported progress, and asked leave to sit again.

Mr. Hays, from the committee on municipal and county or-

ganizations, reported favorably to the bill to amend the charter of the city of Huntsville ;

Which bill was read a third time and passed.

The Senate adjourned till 10 o'clock to-morrow morning

SATURDAY, November 28, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hinds, Johnston, Jones, King, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy Wyman and Yordy—26.

Journal of yesterday was read and approved.

The Senate went into committee of the whole on the bill for the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages ;

After continuing therein some time, the committee rose and was discharged.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 28, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bill :

To repeal an ordinance to abolish the new county of Baine ;

Also, adopted the following Senate joint resolutions :

Respecting national aid for internal improvements of the State of Alabama ;

Authorizing the Governor to offer a reward, as amended ;

And in relation to notaries public ;

And has originated and passed the following bills :

To repeal the 2d section of an ordinance No. —, adopted Sept. 21st, 1865 ;

For the relief of Reddin Garrison and Salina E. Crumpton, of Winston county ;

In relation to the incorporation of the city of Tuscumbia ;

For the relief of Julia B. Goetz, of Mobile county ;

For the relief of Andrew Smith, of Madison county ;

For the relief of Marion Abercrombie of Montgomery county;

To protect fruits, vegetables and other crops from depredation and destruction;

To make Elizabeth J. Edwards a free-dealer;

Concerning insolvent estates;

To declare in force article 5 of chap. 19, title 1, part 3, of the Code;

To repeal section 11, of ordinance No. 36, passed Dec. 6th, 1867.

Also, to authorize the Secretary of State to issue a patent to William W. Daniel of Morgan county, for certain lands therein described;

To remove the administration of the estate of Wm. F. Poole, deceased, and the guardianship of Cecelia J., Mary E. and Eliza Poole, from Russell county to Coffee county.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

Senate adjourned till Monday morning.

MONDAY, November 30, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert, of the Senate.

On the call of the roll, the following Senators answered to their names:

Messrs. Barr, Buckley, Farden, Foster, Glass, Hays, King, Lambert, Mabry, Martin, Oliver, Pennington, Sanford, Sevier, Sibley, Stow, Whitney Wise, Worthy and Yordy—21.

Journal of yesterday was read and approved.

Mr. Worthy, from the committee on public buildings, reported as follows:

The committee on public buildings beg leave to submit the following

#### REPORT :

Your committee are of the opinion that some legislative action is necessary to maintain good order, cleanliness and comfort in some parts of the State House that are immediately connected with the Legislature. The rotunda between the Senate Chamber and the Hall of the House of Representatives, and the passages connected therewith, are in a bad condition, and some steps should be taken to have them improved.

Their uncleanness is a subject of common remark. In the rotunda there are too many refreshment stands and eating tables. They attract numerous idlers, whose noise, boisterous laughing, and sometimes highly improper talk, are little if anything short of an absolute nuisance. They are certainly very unpleasant to members, and so forbidding to visitors that we seldom if ever have any spectators, except such as have actual business before the Legislature.

All this is inconsistent with the dignity, decorum and respectability which we should all take pleasure in maintaining in the capitol of the State.

Again, your committee think that the keeping of liquor in the State House should be prohibited. Some rule should be adopted under which intoxicating drinks could neither be sold or given away in any of the rooms or offices connected with the Legislature.

There is another general evil which your committee think requires a remedy. It has become customary to use the State House and State House square for all kinds of political meetings. In this way, much damage is done to the furniture, the building itself, and the property around it. The keeper of the State House is, by law, charged with the custody of the public property connected with it ; but he has no authority to prohibit the holding of county conventions, city mass meetings, &c., which do much damage here, and which could just as conveniently, and much more appropriately be held at the court house or elsewhere.

It is, of course, not proposed to interfere with state conventions, or other meetings which are of general State importance.

But your committee are of opinion that there should be some restriction upon the holding of any and all kinds of meetings in the State House and square. With such a restriction, we think that existing laws are amply sufficient to enable the keeper of the State House to take proper care of it, and all the property connected with it, when the Legislature is not in session. We think that, during the session, it is manifestly proper that some legislative officer should be specially charged with the duty of taking charge of, and maintaining proper order in, those portions of the building that are used for legislative purposes.

Your committee, therefore, recommend the adoption of the joint resolution appended to this report.

All of which is respectfully submitted.

A. N. WORTHY, Chairman.

Said joint resolutions—

For the preservation of the capitol and the public property connected therewith,

Were read twice.

Mr. Mabry moved to amend so as “not to take effect until the end of the present session.”

Mr. Jones moved to amend said amendment, as follows:

“That the keeper of the capitol be instructed to have the roof of the capitol repaired at once”;

Which, on motion of Mr. Worthy,

Was laid on the table.

On motion of Mr. Pennington,

Mr. Mabry’s amendment was laid on the table.

Joint resolutions were then read a third time and passed.

Mr. Pennington offered joint resolution to adjourn *sine die* on the 12th December, 1868;

Which resolution, on motion of Mr. Hays,

Was laid on the table;

Yeas 13, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Hays, Martin, Morton, Richards, Sanford, Sevier, Sibley, Whitney, Wise and Wyman—13.

Those who voted in the negative are, Messrs. Glass, King, Lambert, Mabry, McAfee, Oliver, Pennington, Royal, Stow, Worthy and Yordy—11.

Message from the Governor, as follows:

*Mr. President:*

I am directed by the Governor to inform the Senate that he has approved and signed bills to be entitled as follows:

To ratify and confirm an election held on the 4th, 5th, 6th and 7th days of February, 1868, for commissioners of revenue of Mobile, Chambers and Baldwin counties;

To authorize the formation of boards of trade in the several cities of this State;

To amend an act incorporating the North East and South west Alabama Railroad company, approved December 12th, 1853;

Bill to authorize the consolidation of the Northeast and Southwest Alabama Railroad company with the Wills Valley Railroad company, and to provide for the organization of the corporation formed by such consolidation, and to give it the benefit of the State’s endorsement of its bonds.

Very respectfully,

D. L. DALTON, Private Secretary.

Mr. Sanford, from select committee, reported a bill—

To make a new county from portions of Franklin and Lawrence, to be called Colbert ;

Which was read twice and referred to the committee on municipal and county organizations.

Mr. McAfee, from the judiciary committee, reported favorably to the bill—

To regulate and establish legal proceedings in the county of Franklin ;

Which bill was recommitted to the committee on municipal and county organizations, with instructions to report tomorrow morning.

Mr. Farden offered joint resolution—

Providing for a joint committee to select anew site for the capitol of this State.

Mr. Stow moved to lay said resolution on the table,  
Which motion was lost.

Mr. Foster moved to postpone the further consideration of the resolution until Wednesday next.

On motion of Mr. Worthy, the whole subject was laid on the table.

Mr. President announced Mr. Barr relieved from the committee on benevolent institutions and the hospital at Talladega, and that Mr. McAfee was substituted in place of Mr. Barr.

Mr. President appointed Mr. Bromberg as a member of the judiciary committee in place of Mr. Coon.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Whitney submitted the following report :

Your committee on enrolled bills have examined bills of the following title, and find them correctly enrolled :

For the relief of Jerome C. Thompson, a minor, of Choctaw county ;

Joint resolution respecting national aid for the internal improvement of the State of Alabama ;

To repeal an ordinance to abolish the new county called the county of Baine, formed by the General Assembly of 1866 and 1867.

CHAS. O. WHITNEY, Chairman.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
November 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles, to-wit :

To make Catherine Hoover, of Jefferson county, a free dealer ;

To make Lucy Freeman, of Coosa, a free dealer ;

For the relief of J. B. Billingsley of Blount county ;

To regulate vendor's liens ;

To make Georgia Ann V. Robinson a free dealer ;

To prevent the destruction of game in Autauga county ;

To amend section 3996 of the Revised Code ;

To repeal sections 1237, 2680 and 4231 of the Revised Code ;

To legalize the marriage between Richard Cruck and Georgia Ann Cleghorn.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
November 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed the following Senate bill :

To amend the charter of the city of Huntsville.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
November 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To repeal section 3692 and 3693 of the Revised Code ;

To provide for the working of public roads in the State of Alabama ;

To extend the time to executors, administrators, &c. ;

To amend the second section of an act to provide for the grand and petit jurors and court of county commissioners of

the different counties of this State, approved February 19, 1867 ;

To continue the city court of Montgomery ;

To authorize parol testimony in certain cases ;

To establish a new charter for the city of Selma.

WM. B. CLOUD,

Clerk of House.

#### CALL OF THE DISTRICTS.

On the call of the Districts, the following bills were introduced :

By Mr. Sevier, for the relief of E. J. Oden of Franklin county ;

By Mr. Hinds, to repeal an act therein named ;

To encourage the payment of taxes ;

Relating to the militia ;

Joint resolution for a joint committee to investigate the present condition of the 2 and 3 per cent fund ;

By Mr. Sibley, to provide for the payment of officers of election ;

By Mr. Oliver, to repeal section 655 of the Revised Code ;

By Mr. Pennington, to regulate sale under mortgages ;

To give the special term, December, 1868, circuit court of Macon county, the same force and effect in law as a regular term of said court ;

To authorize the commissioners court of Lee county to establish a charity hospital in the county of Lee ;

By Mr. Glass, to authorize the town authorities of Tuskegee to levy and collect a railroad tax, &c. ;

By Mr. Farden, to provide for an election to fill vacancies ;

By Mr. Stow, to amend an act therein named ;

By Mr. Jones, to authorize and instruct the commissioners court of Greene county to remove the court house of said county from Eutaw to Hay's Mount ;

By Mr. Foster, to extend the time for the collection of taxes in Choctaw county ;

For the relief of defendants in judgments rendered by judges disqualified by law ;

Which bills were severally read and ordered to a second reading.

By Mr. King, for the relief of certain parties pardoned by proclamation of Governor Patton, under date of 13th February, 1866 ;

Which bills were severally read three times and passed.



By Mr. McAfee, to develop the agricultural and mineral resources of Alabama, and to raise funds in aid of the common school system of the State ;

Which bill was read twice and referred to the committee on internal improvements.

By Mr. Sibley, to authorize the mayor and aldermn of the city of Huntsville to levy a special tax ;

By Mr. Worthy, for the relief of the minor heirs of M. A. Baldwin, deceased ;

By Mr. Mabry, to constitute Susanna M. McNoir and others therein named, free dealers ;

By Mr. Richards, in relation to holding of lands in Alabama ;

By Mr. Worthy, to repeal sections 22S1 and 22S2 of the Revised Code ;

Which were severally read twice and referred to the judiciary committee.

Leave of absence was granted to Mr. Bromberg until Thursday next.

House bill—

To repeal section 2 of Ordinance No. 7, adopted September 21, 1865.

Was reead twice.

Mr. Worthy moved to refer the bill to the judiciary committee.

Mr. Foster moved to lay said motion on the table, which was lost—yeas 9, nays 16 ;

Those who voted in the affirmative are, Messrs. Foster, Hays Jones, Martin, Morton, Pennington, Sanford and Whitney—9.

Those who voted in the negative are, Messrs. Barr, Buckley, Glass, Hinds, King, Lambert, Mabry, McAfee, Oliver, Richards, Royal, Sevier, Sibley, Stow, Worthy and Yordy—16.

Bill was referred to the judiciary committee.

House bills—

To establish a new charter for the city of Selma ;

To remove the county seat of Marengo county from Linden to the city of Demopolis, in said county ;

Which bill was read twice and referred to the committee on municipal and county organizations.

On motion of Mr. Pennington, Senate took up the bill for the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages—yeas 21, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Glass, Hays, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pen-

nington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wyman, and Yordy—21.

Those who voted in the negative are, Messrs. Hinds, Wise and Worthy—3.

Mr. Pennington offered a substitute ;

Which, on motion of Mr. Oliver, was laid on the table—yeas 18, nays 2.

Those who voted in the negative are, Messrs. Farden, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Morton, Royal, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—18.

Those who voted in the affirmative are, Messrs. Martin and Pennington—2.

Mr. Sibley moved to strike out “or,” in the 5th line of section 1, after “dollars,” and insert “and” in 1st blank; insert “two” and “four” in the 2d blank ;

Which amendment was adopted ;

Mr. Farden moved to amend as follows :

That the provisions of this act shall not apply to persons who may participate in any fancy dress or masquerade ball or party, theatrical or other innocent public or private amusement, provided such persons shall only appear in such disguise or mask at the place of such amusement ;

Which amendment was, on motion of Mr. Pennington, laid on the table ;

Mr. Worthy moved to amend as follows :

Provided, That the provisions of this act shall not apply to the counties of Dallas, Mobile, Baldwin, Pike, Crenshaw and Covington, but may be extended to them by proclamation, whenever the Governor, in his judgment, shall deem necessary ;

Which amendment was laid on the table.

Mr. Worthy offered the following amendment :

Provided, that the provisions of this act shall apply only to the counties of Lauderdale, Madison, Jackson, Colbert, Limestone, Franklin, Lawrence, Morgan, Marshall, DeKalb, Marion, Winston, Blount, Baine, Cherokee, Jones, Fayette, Walker, Jefferson, St. Clair, Calhoun, Cleburne, Pickens, Tuskaloosa, Shelby, Talladega, Clay, Randolph, Bibb, Coosa and Tallapoosa, but may be extended by proclamation to such other counties as the Governor may in his judgment deem necessary ;

Which amendment was laid on the table.

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, December 1, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following senators answered to their names :

Messrs. Foster, Glass, Hays, Hinds, Johnston, Jones, King, Lambert, Martin, Mahan, Mabry, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Wise, Whitney, Worthy and Yordy—20.

Journal of yesterday was read and approved.

Mr. Jones, from the committee on municipal and county organizations, reported favorably to the House bill—

To establish a new charter for the city of Selma.

Mr. Whitney moved to amend as follows :

Amend the 57th section by striking out the words, “also in value,” and also by striking out the words, as follows, “then the mayor and councilmen shall apply to the Legislature of Alabama for authority to make the subscription proposed or to issue bonds proposed,” and insert in lieu thereof, as follows, after the words, “the particular subscription proposed” : then the mayor and councilmen shall be authorized and required to make the subscription or to issue the bonds proposed.

Which amendment, on motion of Mr. Jones, was laid on the table ;

Which bill was read a third time and passed.

Also, from the same committee, reported favorably to the House bill—

To change the county seat of Marengo county from Linden to the city of Demopolis ;

Mr. Foster moved to amend, so as to leave the removal “to a vote of the people of all the election precincts, after 30 days notice by the sheriff of the day of election ;”

And by striking out all in the bill that comes in conflict with the provisions of this section ;

Which amendment, on motion of Mr. Hays, was laid on the table ;

Mr. Foster moved to recommit the bill ;

Which motion, on motion of Mr. Hays, was laid on the table—yeas 18, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Hays, Johnston, Jones, King, Lambert, McAfee, Martin, Morton, Pennington, Royal, Sanford, Sevier, Sibley, Whitney, Wyman and Yordy—18.

Those who voted in the negative are, Messrs. Farden, Foster, Glass, Oliver, Richards, Stow, Wise and Worthy—8.

Mr. Foster, moved to indefinitely postpone the bill ;

Which motion, on motion of Mr. Jones, was tabled—yeas 19, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Hays, Johnston, Jones, King, Lambert, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney and Yordy—19.

Those who voted in the negative are, Messrs. Buckley, Farden, Foster, Glass, Hinds, Stow, Wise and Worthy—8.

Mr. Worthy moved to strike out of the fourth section, all that pertains to misdemeanors and the punishment of officers ;

Which amendment, on motion of Mr. Jones, was laid on the table ;

Bill was read a third time and passed—yeas 17, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Hays, Hinds, Johnston, Jones, King, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney and Yordy—17.

Those who voted in the negative are, Messrs. Farden, Foster, McAfee, Oliver, Stow, Wise and Worthy—7.

Mr. Lambert was excused from voting.

Mr. Whitney, from the committee on enrolled bills, reported as correctly enrolled, a bill to amend the charter of the city of Huntsville ;

Mr. Jones, from the committee on municipal and county organizations, reported favorably to the House bill, to form a new county from portions of Baldwin and Conecuh counties, to be called the county of Escambia ;

Which bill was read a third time and passed—yeas 22, nays 2.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Hays, Hinds, Jones, King, Lambert, Mabry, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Worthy, Wyman and Yordy—22.

Those who voted in the negative are, Messrs. Foster and Oliver—2.

Also, from the same committee, reported favorably to the bill to regulate and establish legal proceedings in Franklin county ;

Which bill was read a third time and passed.

Mr. Stow, from the committee on finance, reported favorably to the bill to continue to the Western railroad company the benefit of an act, directing the delivery to the Western

railroad company of a certain bond given to the State of Alabama and Mississippi rivers railroad company for a portion of the two per cent. fund ;

Which bill, on motion of Mr. Worthy, was laid on the table ;

Mr. McAfee from the Judiciary committee, reported favorably to the House bill to repeal section 2, of Ordinance No. 5, adopted September 21, 1865 ;

Which bill was read a third time and passed.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 1, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed the following joint resolution :

For the appointment of a joint committee, in relation to securing certain lands to aid in establishing an agricultural college.

Senate adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, December 7, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert, of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Buckley, Farden, Foster, George Hinds, Johnston, King, Lambert, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—24.

Journal of yesterday was read and approved.

Senate concurred in the amendment of the House to the joint resolution—

Authorizing the Governor to offer a reward for the murderers or assassins of M. T. Crossland.

Senate bill—

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages, was then considered ;

Mr. Richards offered a substitute for said bill ;

Which was adopted and the bill read a third time and passed—yeas 22, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Foster, Hays, Hinds, Johnston, King, Lambert, Mahan, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sevier, Sibley, Whitney, Wise, Wyman and Yordy—22.

Those who voted in the negative are, Messrs. Pennington, Royal and Worthy—3.

The second bill reported by the joint committee on outrages, was read, and being entitled an act,

To suppress murder, lynching and assaults and batteries ;  
Mr. Sibley offered a substitute for said bill ;

Which, on motion of Mr. Pennington, was laid on the table—yeas 14, nays 13.

Those who voted in the affirmative are, Messrs. Buckley, Foster, Hays, King, Lambert, Mahan, McAfee, Morton, Pennington, Sanford, Stow, Worthy, Wyman and Yordy—14.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Johnston, Jones, Mabry, Martin, Oliver, Richards, Royal, Sevier, Sibley and Whitney—13.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that, on the 1st inst., he approved and signed bills which originated in the Senate, to be entitled as follows :

An act to repeal an ordinance to abolish the new county called the county of Baine, formed by the General Assembly of 1866--7 ;

An act for the relief of Jerome C. Thompson, of Choctaw county, Alabama ;

And also a Joint Resolution respecting National and Internal Improvement in the State of Alabama.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Mr. Richards moved to amend the 1st section of the bill under consideration, by striking out "Twenty Thousand Dollars" and by inserting the words "equal to 20 per cent. of the State tax."

Mr. Pennington moved to amend said amendment by substituting "five thousand dollars" in lieu of "equal to 20 per cent. of the State tax ;"

Which was adopted.

On motion of Mr. Sibley the 2d line of 1st section was

amended by substituting "outlaw" for "person or persons unknown ;"

And also, by inserting in the 3rd line, after the word "disguise," the words "riot or mob."

Mr. Sibley moved to strike out of section 2 the words "after the expiration of six months from," and insert in lieu thereof, the words "at any time after ;"

Which amendment, on motion of Mr. Pennington, was laid on the table.

On motion of Mr. Richards, section 3 was amended by striking out "\$20,000" and by inserting "\$5,000 ;"

Also, on motion of same, the 5th and 9th lines of said section were stricken out.

On motion of Mr. Mabry section 4 was amended by striking out "thirty" before the word "days" in the last line, and by inserting "sixty" in lieu thereof.

On motion of Mr. Richards, Sec. 5 was amended by inserting the words, "sheriff or clerk of the circuit court," after the words "tax collector" in the second line.

And by inserting the words, "sheriff or said clerk," after the words, "tax collector," in the third line.

Also, on motion of the same, the 4th line was amended by inserting after the word "State," the words, "or for any other cause."

On motion of Mr. Sibley, section 6 was amended by inserting after the word "beaten" in the second line, the words, "or wounded," and by inserting after the word "disguise," in the 4th line, the words, "not known or in disguise."

On motion of Mr. Richards, "one thousand" was substituted for "five thousand," in the 5th line of section 6.

Mr. Sibley moved to strike out section 7 ;

Which motion was lost ;

Mr. Farden moved to amend as follows :

"Provided, that such trial shall take place within one year ;"

Which amendment was laid on the table.

On motion of Mr. Yordy, section 7 was amended by striking out the words, "unknown or in disguise," in the second line.

Sections 8 and 9 were then adopted without amendment.

Mr. Richards offered additional section No. 10 ;

Which was adopted.

Also, an additional section No. 11 ;

Which amendment was laid on the table.

Mr. Richards offered additional section No. 12 ; which was adopted.

Mr. Sibley offered additional section No. 13 ;

Which, on motion of Mr. Whitney,

Was laid on the table.

Mr. Worthy moved to add another section, "excepting the counties of Mobile, Pike, Crenshaw and Covington from the provisions of this act, but that they may be extended to these counties by proclamation of the Governor when he deems it necessary ;"

Which amendment, on motion of Mr. Hays,

Was laid on the table ;

Yeas 13, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Bromberg, Farden, Hays, Johnston, McAfee, Martin, Morton, Richards, Stow, Whitney and Yordy—13.

Those who voted in the negative are, Messrs. Mabry, Mahan, Pennington, Royal, Sanford, Sibley, and Worthy—8.

Pending consideration of the bill,

Senate adjourned till 10 o'clock to-morrow morning.

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SENATE CHAMBER, }  
Thursday, December 3, 1868. }

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Wise, Worthy, Wyman and Yordy—24.

Journal of yesterday was read and approved.

The call of the districts was suspended, in order to consider House messages.

House bills—

Supplemental to an act to incorporate the town of Troy, in the county of Pike, and to authorize said municipal corporation to levy a tax for a subscription to the stock of the Mobile and Girard Railroad company ;

To change the boundary line between Coosa and Elmore counties ;



To transfer the legal books and other papers from Jones to Sanford county ;

To secure complete records in the courts in this State ;

To fix the time of holding the city court of Montgomery ;

To prevent trespass by camp hunters in Coosa county ;

To authorize the circuit court of Crenshaw county to hold for two weeks at each term ;

To authorize the commissioners court of Conecuh county to levy a special tax ;

To repeal an act to authorize the sale of spirituous liquors within five miles of Cahaba Coal Mines in Shelby county, approved February 15, 1867 ;

To amend the 2d section of an act to provide pay for the grand and petit jurors and court of county commissioners of the different counties in this State, approved February 19, 1867 ;

Were severally read three times and passed.

Mr. Sanford, with leave, introduced a bill—

For the relief of A. J. Applegate, Lieutenant Governor of Alabama ;

Which bill was read three times forthwith and passed.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 3, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To make Elizabeth James a free dealer ;

To make Elizabeth Ann Read a free dealer ;

To repeal an act therein named ;

To authorize the commissioners court of Dallas county to issue bonds ;

To regulate travel upon street cars in the city of Mobile ;

Requiring clerks of circuit courts, registers in chancery and judges of probate to endorse the names of attorneys on executions ;

To repeal certain acts of incorporation ;

To confer additional powers on the commissioners of Mobile county ;

To change the boundary line between Coosa and Elmore counties ;

To change the boundaries between Crenshaw and Covington counties ;

To provide for holding a term of the chancery court in the 5th chancery district ;

To relieve certain practicing attorneys at law and for other purposes ;

To amend section 2225 of the Code ;

For the relief of the poor of this State ;

To amend section 556 of the Code ;

For the relief of Wm. Stringer of Morgan county.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

#### House bills—

To make Mrs. Hardenia Robinson, wife of E. P. Robinson, of Autauga county, a free dealer ;

To amend the charter of the Alabama Mutual Life Insurance company of Selma, Ala. ;

To form a new county from portions of Baldwin and Conecuh, to be called Escambia ;

To make Mrs. Rachel Marks, wife of Jacob Marks, of Montgomery county, a free dealer ;

For the relief of officers of Covington county ;

To amend section 4053 of the Revised Code of Alabama ;

To construe section 1234 of the Revised Code of Alabama, and to define the rights and privileges of regular graduates of medical colleges in the United States ;

To relieve Fernando B. Poe of the disabilities of minority ;

To divide the county of Sanford into commissioners districts ;

To restrain the tax collector of Limestone county from collecting the taxes authorized to be assessed by an act to authorize the court of county commissioners of Limestone county, Alabama, to subscribe to the capital stock of the Tennessee and Alabama Central Railroad company ;

To make Mrs. Elizabeth Jane Edwards, wife of Thomas Edwards, of Tallapoosa county, a free dealer ;

To make Catherine Hoover, of Jefferson county, a free dealer ;

To make Lucy Freeman, of Coosa county, a free dealer ;

To make Georgia Ann V. Robinson a free dealer ;

To legalize the marriage between Richard Cruch and Georgia Ann Cleghorn ;

To repeal sections 1237, 2680 and 4231 of the Revised Code ;

To amend section 4340 of the Revised Code of Alabama ;

To amend section 4053 of the Revised Code ;

To amend sections 2126 of the Revised Code ;

For the relief of the tax assessor of Conecuh county,  
 To ratify and confirm an election held for justices of the  
 peace and constables in the several wards of the city of Mo-  
 bile ;

To repeal sections 3602 and 3603 of the Revised Code ;

To amend 3996 of the Revised Code ;

To amend section 536 of Revised Code of Alabama ;

To adopt the law in relation to the incorporation of the  
 city of Tuscumbia, in Franklin county, and for other purposes ;

To amend section 2225 of the Revised Code ;

To authorize the court of county commissioners of Bullock  
 county to issue bonds ;

For the relief of the administrators of the estate of George  
 Simpson, deceased ;

To authorize the Secretary of State to issue a patent to  
 William McDaniel of Morgan county ;

To relieve certain prosecuting attorneys at law and for  
 other purposes ;

To provide for holding a term of the chancery court in the  
 5th chancery district ;

To repeal certain acts of incorporation ;

To regulate travel on street cars in the city of Mobile ;

To authorize the commissioners court of Dallas county to  
 issue bonds ;

Joint resolution in relation to appointing a joint committee  
 to examine certain lands in the town of Talladega ;

To regulate vendor's liens ;

Joint resolution in relation to appointing a joint committee  
 to inquire what legislation is necessary to harmonize existing  
 laws with the Constitution ;

To repeal section 1 of a special act passed by the General  
 Assembly in the year 1847 ;

To protect fruits, vegetables and other crops from depreda-  
 tions and destruction ;

To protect the estates of minors and deceased persons in the  
 State of Alabama ;

Concerning insolvent estates ;

To authorize the probate courts to render decree for pur-  
 chase money in certain cases ;

To define the boundry lines between the counties of Dallas  
 and Perry ;

To protect elected and appointed officers of the State of  
 Alabama ;

To legalize certain ordinances ;

To authorize the commissioners court of St. Clair, Calhoun,

Bibb, Franklin, Blount and Covington counties to levy an additional tax for 1869, to pay off the indebtedness of said counties ;

To appoint administrators in certain cases ;

To empower the probate judge of Elmore county to issue search warrants :

Were severally read and ordered to a second reading.

House bills—

To remove the administration of the estate of William F. Pool, deceased, and the guardianship of Cecelia J. Pool. Mary E. Pool and Eliza Pool, from Russell to Coffee county ;

For the relief of Andrew Smith of Marshall county ;

For the relief of John B. Billingsly of Blount county ;

For the relief of Marion Abercrombie of Montgomery county ;

For the relief of Reddin Garrison and Saliva E. Crumpton, of Winston county ;

To authorize James H. Jarrett of Autauga county to practice medicine and charge therefor ;

Authorizing parole testimony in certain cases ;

To extend time to administrators, executors, &c. ;

To provide for the working of public roads in Alabama ;

To repeal section 11 of Ordinance No. 36, passed December 6, 1867 ;

To declare in full force article 5 of chapter 19, title 1, of the Revised Code ;

For the relief of defendants in certain judgments and decrees ;

To repeal an act to amend sections 3, 8 and 13 of an act in reference to the chancery courts of Alabama ;

To authorize judges of probate to make amendments *nunc pro tunc* ;

To allow appeals to the Supreme Court in certain cases ;

Were severally read twice and referred to the judiciary committee.

House bill—

For the relief of Julia B. George of Mobile county ;

Was read three times and passed—20, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mabry, Mahan, Martin, Morton, Pennington, Royal, Sibley, Whitney, Wise, Worthy and Wyman—20.

Those who voted in the negative are, Messrs. King, McAfee, Oliver, Richards, Sanford, Sevier, Stow and Yordy—8

House bill—

To authorize James Simpson of St. Clair county to practice medicine and charge therefor ;

Was read twice.

The bill was amended so as to include Dr. W. B. Jones of Marengo county ; Dr. J. F. Morton of Fayette county ; Dr. R. T. Scott of Jackson county ; and Dr. J. A. Farden of Autauga county.

Mr. Sibley moved to amend so as to include the homœopathic physicians, quacks and the old women of the country.

On motion of Mr. Lambert, the bill and amendment were laid on the table.

House bill—

To make Mrs. Elizabeth Ann Reid of Lee county a free dealer ;

House bill—

To confer additional powers upon the commissioners court of Mobile county ;

To change the county boundaries between Crenshaw and Covington counties ;

To authorize the court of county commissioners of the county of Clay to cause to be levied a special tax for certain purposes therein named ;

Were severally read twice and ordered to a third reading.

House bill—

For the relief the poor of this State ;

Was read twice and referred to the committee on poor laws and charitable institutions.

House bill—

To prevent trespass by camp hunters in Coosa county ;

Was read twice and referred to a select committee composed of Messrs. Farden and Lambert.

House bill—

Requiring clerks of circuit courts, registers in chancery and judges of probate to endorse the names of attorneys on executions ;

Was read twice and referred to the judiciary committee.

House joint resolution—

For the appointment of a joint committee in relation to securing certain lands to aid in establishing an agricultural college ;

Was amended on motion of Mr. Whitney, so as to read,

“ Be it resolved ” instead of “ be it enacted ; ”

The blank was filled with “ two ; ”

As amended, it was adopted and Messrs. Hays and Richards appointed a committee on the part of the Senate.

**House bill—**

For the protection of the State of Alabama for certain school lands that have been or may be bought hereafter ;

Was read twice and referred to the committee on education.

**House bill—**

To provide for holding the probate court of Butler county in the city of Montgomery ;

Was read twice and referred to a select committee composed of Messrs. Worthy, Sibley, McAfee and Foster.

**House bill—**

To fix the time of the annual session of the General Assembly of Alabama ;

Was read twice ;

On motion of Mr. Lambert, the bill was amended so as to read

“ Second Monday ” instead of “ third Monday ; ”

Bill was referred to the committee on privileges and elections.

On motion of Mr. Richards, the remaining bills reported by joint committee on outrages, were made special order for 10 o'clock to-morrow morning.

Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, December 4, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names :

Messrs. Foster, Glass, Hays, Johnston, Jones, King, Lambert, Mabry, Mahan, Martin, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Whitney and Yordy—19.

Journal of yesterday was read and approved.

Mr. Whitney gave notice that he would move to reconsider the vote by which the Senate on yesterday, passed the House bill to change the boundary line between Coosa and Elmore counties.

Mr. President presented a petition of Isaac W. Sullivan, now in the jail of Montgomery county, for the killing of R. E. Hill of Wetumpka ;

On motion of Mr. Whitney, the petition and papers connected therewith, was referred to a select committee, and **Messrs. Whitney, Hays, Farden, Worthy and Barr**, were appointed.

Special order came up, it being the bill to suppress murder, lynching and assaults and batteries.

Mr. Pennington offered an additional section, No. 12, as follows, which was lost—yeas 7, nays 22 :

Section 12. Be it further enacted, That the tax imposed in preceding sections of this act, shall not be collected where it can be made to appear to the satisfaction of the court before which suit is brought for the same, that the sheriff and other county officers have made every possible effort to arrest and bring to trial the offenders, and that they have been assisted and supported in such efforts by the people of the county generally.

Those who voted in the affirmative are, Messrs. Mabry, Mahan, Martin, Pennington, Royal, Wise and Worthy—7.

Those who voted in the negative are, Messrs. Barr, Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, Jones, King, Lambert, McAfee, Morton, Oliver, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wyman and Yordy—22.

Mr. Pennington offered the following additional section, No. 12 ;

Which, on motion of Mr. Hays, was laid on the table—yeas 23, nays 6.

Section 12. Be it further enacted, That the provisions of this bill shall not apply to the counties of Lee and Pike, Crenshaw and Covington.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Glass, Hays, Hinds, Johnston, Jones, King, Lambert, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Wyman and Yordy—23.

Those who voted in the negative are, Messrs. Farden, Mabry, Mahan, Pennington, Royal and Worthy—6.

Bill as amended, was then adopted as a whole ;

Mr. Mabry moved to recommit the bill to a select committee of seven ;

Which motion, on motion of Mr. Whitney, was laid on the table ;

Bill was read a third time and passed—yeas 19, nays 7 ;

Those who voted in the affirmative are, Messrs. Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, Jones, King, Lambert, McAfee, Martin, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wyman and Yordy—19.

Those who voted in the negative are, Messrs. Mabry, Mahan, Oliver, Pennington, Royal, Wise, and Worthy—7.

Mr. Worthy presented the following protest ;

Which was read and ordered to be spread upon the journal:

*Mr. President :*

I beg leave to spread upon the journals of this Senate, my solemn protest against the passage of this bill, for the following brief reasons :

1. It is in my judgment unconstitutional.

2. That if by possibility, the bill could be relieved from the first objection, then it were a useless piece of legislation in that, it cannot, in my opinion, be enforced, because it has been publicly declared in effect, that *nine-tenths* of the white people of the State are opposed to it.

3. Because, in its tendencies I can only see a bid for mischief—an invitation for rapine and murder, and to almost every other crime known to the criminal calendar.

4. Because, in effect, it offers an inducement to the amount of \$5,000 to every wife who is tired of her husband ; to every derelict husband ; to every son who wants his father's estate ; to every next of kin, who values money more than he does the life of him who stands between him and the coveted money, to arrange and accomplish the *assassination* of the person who stands in the way of his desires ; a burnt cork, a half yard of crape wrapped around the head of the corpse, will furnish the necessary disguise, and the law furnishes \$5,000 worth of consolation to the bereaved family who have lost a member. Verily can they say, "our loss is gain"—instead, it must be "*his loss of life is our gain in dollars and cents.*"

5. For five thousand dollars, many a man will be found who will submit to a sound beating, pre-arranged by him and his friends, who will be sure to touch no vital point, nor brake a bone.

The whole bill is a bonus offered for assassination and perjury. If its provisions are enforced, crime will be increased a thousand fold ; every county in the State will be made bankrupt in twelve months ; murder most foul will stalk throughout the land. No man will be safe at home or abroad, and the name of Alabama will be a scorn and reproach throughout the christian world.

6. This bill presents the horrible spectacle of a State in the Federal Union converting itself into a life insurance company, thereby saying to the wicked and depraved of earth, to come into this State, and have himself *insured*, so, when by wicked device, after having spent a life in infamy, his family can be comfortably provided for.



Mr. Sibley moved to reconsider the vote by which said bill was passed ;

Which motion, on motion of Mr. Farden, was laid on the table.

Leave of absence was granted to Mr. Pennington, until Tuesday next ;

And to Mr. Buckley until Monday next.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Pennington, to authorize the court of county commissioners of certain counties to subscribe to the capital stock of the Savannah and Memphis railroad company ;

Which bill was read twice and referred to a select committee, composed of Messrs. Pennington, Lambert, McAfee, Oliver and Hinds ;

By Mr. Hays, to declare void certain judgments, and to grant new trials in certain cases ;

By Mr. Jones, to change the name of Fannie Roby to Fannie Roby Jones ;

By Mr. Sanford, to transfer the legal books and other papers belonging to the county formerly known as Baine to the proper officers of the county of Etowah ;

By Mr. Barr, to carry into effect paragraph 26, article 1, of the constitution of Alabama ;

By Mr. Worthy, to change the time of holding the circuit courts of the 6th judicial circuits ;

Which bills were severally read three times and passed.

By Mr. Sanford, for the relief of John M. Moragne ;

By Mr. Whitney, for the relief of Robert to Scott, jr. of Jackson county ;

To amend an act for the relief of Lawson C. Coulson, late probate judge of Jackson county, &c. ;

To legalize the marriage between Reuben J. Wilson and Rufina Wilson of Jackson county ;

For the relief of C. P. Simmons of Franklin county ;

Concerning prisoners confined in the county jail of this State.

By Mr. Mahan, for the relief of Lucinda Ellinger, of Bibb county ;

By Mr. Yordy, to amend section 1293 of the Revised Code ;

Which bills were severally read and ordered to a third reading.

By Mr. Whitney, to make Judith May Scott, of Jackson county, a free dealer ;

To open judgments or decrees for money rendered by any of the courts of this State, when the cause of action existed prior to May 25th, 1865 ;

By Mr. Lambert, to confer authority on Probate Courts to make free dealers ;

By Mr. Martin, to require the Governor to issue his proclamation requiring the Sheriff of Russell county to cause the records of said county be removed to Girard, Alabama ;

By Mr. Wyman, to repeal sections 2876 and 2877 of the Revised Code ;

Which bills were severally read twice and referred to the Judiciary Committee.

By Mr. McAfee, to repeal an act to change the time of holding the Circuit Court of Coosa and Tallapoosa counties, approved August 11th, 1868 ;

Which bill was read three times and passed ;

By Mr. Lambert, to establish a house for certain destitute widows and orphans ;

Which bill was read twice and referred to the Committee on Poor Laws and Charitable Institutions ;

Mr. McAfee, from the judiciary committee, reported favorably to the House bill ;

To repeal section 11 of Ordinance No. 36, passed December 6th, 1867 ;

Which bill was read a third time and passed—yeas 19, nays 1 ;

Those who voted in the affirmative are, Messrs. Foster, Glass, Hays, Hirds, Johnston, Lambert, Mahan, McAfee, Martin, Oliver, Richards, Royal, Sanford, Sibley, Stow, Whitney, Worthy, Wyman and Yordy—19.

Mr. King voted in the negative—1.

Bill to continue to the Western Railroad Company the benefit of an act directing the delivery to the Western Railroad Company of a certain bond, &c. ;

Was read a third time and passed.

Joint Resolution for the appointment of a Joint Committee to investigate the condition of the two and three per cent funds, was adopted ;

Messrs. Hinds, Hays, Worthy, Whitney and Buckly were appointed Senate Committee.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 4, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and adopted the following joint resolution :

“In relation to the obstructions in Mobile Bay and for other purposes.”

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 10 o'clock to-morrow morning.

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SATURDAY, December 5, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following Senators answered to their names :

Messrs. Bromberg, Farden, Foster, Glass, Hays, Hinds, King, Lambert, Martin, Oliver, Sanford, Sibley, Stow, Whitney, Wise, Wyman and Yordy—17.

Journal of yesterday was read and approved.

The Chaplain was excused on account of sickness.

Call of the Districts was suspended.

Bill for the relief of Rebecca A. Finch, of Lee county ;

Was read a third time and passed—yeas 12, nays 11 ;

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Johnston, Lambert, Mabry, Mahan, Martin, Whitney, Wise, Worthy and Wyman—12.

Those who voted in the negative are, Messrs. Bromberg, Foster, Hays, King, McAfee, Oliver, Sanford, Sevier, Sibley, Stow and Yordy—11.

Bill to make the separate estates of married women liable in certain cases ;

Was read a third time.

Mr. Hays moved to lay the bill on the table ;

Which motion was lost ;

Bill was then passed ;

Yeas 16, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hinds, Johnston, King, Mahan, Martin, Oliver, Richards, Sibley, Stow, Wise, Worthy and Yordy—16.

Those who voted in the negative are, Messrs. Foster, Hays, Jones, Lambert, McAfee, Sanford, Sevier and Whitney—8.

On motion of Mr. King, said vote was reconsidered, which motion, when made, Mr. Worthy moved to lay on the table ; Which motion was lost.

On motion of Mr. Whitney, the bill was amended, as follows :

Provided, further, that such labor done and money expended shall be by and with the consent of, and authorized by the owner of the separate estates.

Bill was then read a third time again and passed ;

Yeas 17, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Hinds, Johnston, King, Lambert, Mahan, Martin, Oliver, Richards, Sibley, Stow, Whitney, Wise, Worthy and Yordy—17.

Those who voted in the negative are, Messrs. Hays, Jones, McAfee, Sanford and Sevier—5.

Bills to amend section 3016 of the Revised Code ;

To define commissions on sales of registers in chancery ;

To grant new trials in certain cases therein named and for other purposes ;

To extend the time for the collection of taxes in Choctaw county ;

To regulate the official printing of the probate courts of Blount, Marion, Walker, Winston and Choctaw counties ;

Were severally read three times and passed.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 5, 1868. }

*Mr. President :*

I am instructed by the House to inform the Senate of its having originated and passed the following bills :

To repeal an act to regulate the fees of jurors and witnesses of Franklin county ;

To declare Thos. M. Springfield a citizen of the county of St. Clair.

Very respectfully,      W. B. CLOUD,  
Clerk of the House.

On motion of Mr. McAfee, the Senate proceeded to consider the substitute of the judiciary committee for the bill—

To extend the provisions of an ordinance entitled "An ordinance to stay the collection of debts."

Said substitute was adopted :

Provided, That upon all process requiring the sale of property issued or that may be issued from any of the courts of this State, the officer in whose hands the same is or to whom the same may come to be executed, shall have power under said process, before returning the same as aforesaid, to demand payment of all costs and fees due on the same, and also commissions on the principal, where the same are allowed, and in default of the payment thereof, to levy upon and sell sufficient property to pay such costs, fees and commissions ;

Which amendment was laid on the table.

Mr. Sevier moved to amend as follows :

Provided, that this act shall not apply to dues for medical services or house rent.

Mr. Farden moved to amend said amendment as follows :

"Except all dues for medical services and for all rents, bills for necessities of life, such as food, clothing, &c. ;"

Which amendment to the amendment, on motion of Mr. Whitney,

Was laid on the table.

The first part of Mr. Sevier's amendment was lost ;

Yeas 11, nays 15.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Hinds, Jones, Mabry, Richards, Sevier, Sibley, Worthy and Yordy—11.

Those who voted in the negative are, Messrs. Farden, Glass, Hays, Johnston, King, Lambert, Mahan, McAfee, Martin, Morton, Oliver, Sanford, Scott, Whitney and Wise—15.

And the latter part of said amendment was also lost.

Mr. Bromberg moved to amend as follows :

Provided, that the provisions of this act shall not apply to debts contracted prior to January 1st, 1869 ;

Pending consideration of which,

Senate adjourned till 10 o'clock, Monday morning.

FRIDAY, December 7, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Farden, Hays, Lambert, Mabry,

Martin, Oliver, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wyman and Yordy—17.

Journal of yesterday was read and approved.

The following message was received from the Governor :

*Mr. President :*

I am directed by the Governor to communicate to the Senate a message in writing.

Very respectfully,

D. L. DALTON, private secretary.

EXECUTIVE DEPARTMENT, }  
MONTGOMERY, ALABAMA, }  
December 7, 1868. }

*Gentlemen of the Senate and*

*House of Representatives :*

I deem it proper to inform the General Assembly of the condition of some land in the State of Nebraska, to which the State of Alabama is entitled. In the counties of Madison and Jackson, in this State, there is a district known in the U. S. surveys and designated in Federal and State laws, as the "Twelve Miles Square Reservation." This Reservation embraces within its limits, the 16th sections of five different townships. Many years ago, the whole district was disposed of by the U. S. Government in a treaty with the Cherokee Indians; and hence the 16th sections of its five different townships have not been available under the general law of Congress, which made a donation of public land for common school purposes.

In order, however, that the townships within this Reservation might be placed upon an equal footing with others, an act was passed by Congress and approved January 22, 1854, authorizing the selection of a like quantity of land by legal subdivisions, from any of the surveyed land of the United States. (See U. S. Statutes at Large, vol. 10, pp. 299.) Under the authority of this law, in the fall of 1858, the proper quantity of land was selected in the then Territory and now State of Nebraska. The selections were officially approved by the Secretary of the interior, on the 31st day of December, 1859. This approval vested in the State of Alabama the same title to these selected lands that it holds to the unincumbered 16th sections within the limits of the State.

For the purpose of providing a mode of accepting these lands and disposing of them, an act was passed by the Ala-

bama Legislature and approved February 23, 1860. (See acts of 1859--60 p. 108.) From the record and files of this Department, it does not appear that any thing was done under that act. At any rate, none of the land selected in Nebraska has been sold. The various tracts belonging to the State are officially recorded, not only in the General Land Office at Washington, but in the Land Office in Nebraska. These several tracts amount in the aggregate to some 2,500 acres. From information which is deemed reliable, there is reason to believe that they may be sold without much difficulty for about \$6,000.

I think it advisable to have these lands sold at as early a day as practicable. The general provisions of the act of February 23, 1860, give ample authority for this purpose, though I think that one feature of it should be amended. It is provided in the act, that an agent shall be appointed to sell the lands in Nebraska; and the 4th section fixes the compensation of such agent at five per cent. of the proceeds. I think that such per centage at the present time is too small; and therefore recommend that authority be given for the allowance of a larger rate, not to exceed ten per cent.

The money realized from the sale of these lands, will, of course, go to the Common School Fund, and be held in trust by the State, for the benefit of the townships embraced in the resolution above referred to.

WILLIAM H. SMITH.

Said message was read and referred to the Committee on Education.

Mr. Whitney from the Committee on Enrolled Bills, reported as correctly enrolled:

Joint Resolution authorizing the Governor to offer a reward for the murderers of M. T. Crossland and James Byers.

Senate reconsidered the vote by which was passed the House bill—

To change the boundary line between Coosa and Elmore counties;

And then repassed the bill by the constitutional majority of two-thirds—yeas 22, nays 0;

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Foster, Glass, Johnston, Jones, King, Lambert, Mabry, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—22.

Mr. Whitney, from the select committee, reported a bill for the relief of Isaac W. Sullivan ;

Which was read three times and passed.

Mr. Farden offered the following resolution, which was laid on the table :

*Resolved*, That in the week beginning on Monday, the 7th instant, no new bills shall be entertained ; and that Monday and Wednesday of said week shall be devoted to reports from standing committees ; Tuesday and Thursday, to House Messages ; and the remainder of the week, to reports of committees and Senate bills on a second and third reading.

Mr. Hays, from the committee on municipal and county Organizations, reported favorably to the bill—

To create a new county from portions of Dallas, Perry, Marengo and Wilcox, to be called the county of Chillatchie ;

Which bill was read a third time and passed, yeas 24, nays 0 ;

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Glass, Hays, Johnston, Jones, King, Lambert, Mabry, Mahan, Martin, Morton, Richards, Sanford, Sevier, Sibley, Whitney, Wise, Worthy and Yordy—24.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 7, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having amended and passed the following Senate bills :

For the relief of A. J. Applegate, Lieutenant Governor of the State of Alabama ;

To change the time of holding the Circuit Court of the Sixth Judicial Circuit ;

To carry into effect paragraph 36, article 1, of the constitution of Alabama ;

Also, passed and amended, as therein shown—

A bill to regulate and establish legal proceedings in Franklin county ;

To authorize the Mayor and Aldermen of the city of Huntsville to levy a special tax ;

And of its having originated and passed bills as follows :

To give the Probate Court of Wilcox County jurisdiction of the estate of Madison B. Parker, deceased ;

To declare A. M. Daniel a citizen of Clay county ,

To form a new county to be called the county of Geneva ,



And to fix the time for holding an election for members of the 41st Congress.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Mr. Lambert, from the committee on agriculture and manufactures, reported favorably to the bill for the protection of agricultural laborers ;

On motion of Mr. Worthy, the last two lines of section 5 were stricken out ;

Bill was then read a third time and passed—yeas 22, nays 1.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Hays, Johnston, Jones, King, Lambert, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—22.

Mr. Worthy voted in the negative—1.

Mr. Sanford, from the committee on poor laws and charitable institutions, reported adversely to the House bill, for the relief of the poor of this State ;

Which report was concurred in.

Mr. Farden, from the committee on internal improvements, reported favorably, with an amendment, to the bill to incorporate the Middle Alabama Railroad Company ;

Which amendment was adopted, and on motion of Mr. Hinds, the bill was laid on the table.

Also, from the same committee, reported adversely to the bill—

To amend an act incorporating the Macon county railroad company.

Bill and report were laid on the table for the present.

Also, from the same committee, reported favorably to the bill—

To aid in the improvement and opening of the Cahaba river to navigation ;

Amendment was adopted and the bill ordered to a third reading.

Also, from the same committee, reported as defective in form, bills—

To consolidate railroad companies in Alabama ;

To amend section 8 of the charter of the New Orleans and Selma Railroad company ;

Which reports were not received.

Mr. Farden moved that the committee on internal improvements be allowed a clerk when necessary ;

Which motion was lost ;

Yeas 12, nays 13.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Glass, Hays, Mabry, McAfee, Pennington, Richards, Royal, Sibley and Stow—12

Those who voted in the negative are, Messrs. Johnston, Jones, King, Lambert, Mahan, Martin, Morton, Oliver, Sanford, Sevier, Whitney, Worthy and Yordy—13.

Also, from the same committee, reported favorably to the House bill—

To authorize Andrew L. Holman, of Baldwin county, to establish a ferry across the Perdido river ;

Which was read a third time and passed.

Leave of absence was granted to Mr. Lambert for the balance of the week.

Mr. Richards, from the committee on education, reported favorably to the bill—

To amend an act to incorporate the schools of Loachapoka, in Macon county, approved Jan. 26, 1858 ;

Which bill was read a third time and passed.

On motion of Mr. McAfee,

The Senate resumed the consideration of the bill—

To extend the provisions of an ordinance entitled “an ordinance to stay the collection of debts.”

The question being on Mr. Bromberg’s amendment ;

Which amendment, on motion of Mr. Whitney,

Was laid on the table.

Mr. Whitney called the previous question.

Objection being made as to there being any previous question in the Senate ;

Mr. President decided that there was a previous question.

Mr. Whitney appealed from the decision of the chair ;

And the question being, “ Shall the decision of the chair be sustained ? ” the chair was sustained ;

Yeas 13, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Foster, Glass, Jones, Martin, Pennington, Sevier, Sibley, Stow, and Wise—13.

Those who voted in the negative are, Messrs. Buckley, Hays, Hinds, Lambert, Mabry, Morton, Oliver, Royal, Sanford, Whitney, Worthy, Wyman and Yordy—12.

Bill was ordered to a third reading.

Mr. McAfee, from the judiciary committee, reported adversely to the bills—

To authorize a new trial in a certain case therein named ;

To authorize the city council of Montgomery to establish a work house ;

To amend section 2877 of the Revised Code ;

To abolish the office of solicitor of judicial circuits and prescribe the duty of county solicitors ;

To amend section 1998 of the Revised Code ;

To invest Edmund Andrews with the legal title to certain real estate in the city of Mobile ;

To legalize a marriage solemnized between Edmund Andrews and Mary Strimpler, otherwise called Mary Reynolds ;

For the relief of certain judgment defendants ;

For the relief of J. B. Billingsley of Blount county ;

To repeal section 3692 and 3693 of the Revised Code ;

To provide for the working of public roads in the State of Alabama ;

For the relief of Julia B. Goetzl, of Mobile county ;

For the relief of Andrew Smith, of Madison county ;

For the relief of Marion Abercrombie of Montgomery county ;

For the relief of Reddin Garrison and Salina E. Crumpton, of Winston county ;

To make Lucy Freeman, of Coosa, a free dealer ;

To make Catherine Hoover, of Jefferson county, a free dealer ;

To make Georgia Ann V. Robinson a free dealer ;

To prevent the destruction of game in Autauga county ;

To amend section 3996 of the Revised Code ;

To repeal sections 1237, 2680 and 4231 of the Revised Code ;

To legalize the marriage between Richard Cruck and Georgia Ann Cleghorn ;

In relation to the incorporation of the city of Tuscumbia ;

To extend the time to executors, administrators, &c. ;

To amend the second section of an act to provide for the grand and petit jurors and court of county commissioners of the different counties of this State, approved February 19, 1867 ;

For the relief of defendants in certain judgments ;

To authorize James H. Jarrett, of Autauga county, to practice medicine and charge therefor ;

For the relief of John S. Tate, as administrator of Joseph Hough, deceased ;

Which reports were severally concurred in.

Also, from the same committee, reported favorably to House bills—

To regulate the terms of the 4th and 5th judicial circuits ;

To allow appeals to the Supreme Court in certain cases ;

Which bills were severally read three times and passed.

Also, from the same committee, reported favorably to the House bill—

Requiring clerks of circuit courts, registers in chancery and judges of probate, to endorse the names of attorneys on executions ;

Which bill was ordered to a third reading.

Also, from the same committee, reported favorably, with an amendment, to the House bill—

To declare in force article 5 of chap. 19, title 1, part 3, of the Code ;

Which amendment was adopted, the bill read a third time and passed.

Senate adjourned till to-morrow morning.

TUESDAY, December 8, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert, of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hinds, Johnston, Jones, King, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy Wyman and Yordy—26.

Journal of yesterday was read and approved.

Call of the districts was suspended.

Mr. Stow offered the following resolution ;

Which was adopted :

*Resolved*, That the Secretary of the Senate be instructed to request the Clerk of the House to return to the Senate the bill to continue the city court of Montgomery.

Senate concurred in the amendment of the House to the Senate bill—

To regulate and establish legal proceedings in Franklin county.

MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that,

on the 1st inst., he approved and signed bills which originated in the Senate, to be entitled as follows:

An act to authorize the mayor and aldermen of the city of Huntsville to levy a special tax;

To carry into effect paragraph 26, article 1, of the constitution of Alabama;

And also, a joint resolution to authorize the Governor to offer a reward.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Senate resumed the consideration of the bill to extend the provisions of an ordinance entitled "An ordinance to stay the collection of debts";

Mr. Worthy appealed from the decision of the chair as to the bill being on its third reading, and the decision of the chair was sustained;

Mr. Whitney moved to recommit the bill, with instruction to report, and to make it special order for 11 o'clock to-morrow;

Mr. Oliver moved to postpone the further consideration of the bill till Saturday next;

Mr. Whitney called the previous question, which was sustained;

Bill was then passed—yeas 19, nays 8.

Those who voted in the negative are, Messrs. Barr, Buckley, Foster, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mahan, McAfee, Martin, Morton, Sanford, Whitney, Wise, Worthy, Wyman and Yordy—19.

Those who voted in the affirmative are, Messrs. Bromberg, Farden, Oliver, Pennington, Richards, Sevier, Sibley, and Stow—8.

Senate bill to aid in the improvement and opening the Cahaba river to navigation,

Was read a third time and lost, not receiving the constitutional two-thirds majority—yeas 16, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hinds, Johnson, Mabry, Martin, Pennington, Richards, Sibley, Whitney and Wise—16.

Those who voted in the negative are, Messrs. Hays, Jones, Lambert, McAfee, Morton, Oliver, Sanford, Sevier, Stow, Worthy, Wyman and Yordy—12.

Mr. Jones gave notice that he would move to reconsider said vote.

Senate bills—

To amend an act to incorporate the mountain railroad contracting company ;

To amend an act entitled an act to amend an act entitled an act to incorporate the South and North Alabama railroad company ;

Were severally read a second time and referred to the committee on internal improvements.

Senate bill, to provide for the adjustment of and payment of claims against the State of Alabama,

Was read a second time and referred to the committee on finance.

Senate bills—

To amend section 3515 of the Revised Code, &c.;

To give the special term, December, 1868, circuit court of Macon county, the same force and effect in law as a regular term of said court ;

To authorize the town authorities of Tuskegee to levy and collect a railroad tax ;

Were severally read a second time and ordered to a third reading.

Senate bills—

To authorize the commissioners' court of Sumter county to levy an additional tax for county purposes ;

To authorize Absalom Jackson, of Elmore county, to sell certain lands, &c.;

To authorize the commissioners' court of Perry county, to levy a special tax ;

Were severally read a second and third time and passed.

Senate bills—

To authorize Attoway R. Davis, late general administrator of Greene county, to make settlement, &c.;

To regulate sales under mortgages ;

For the relief of certain persons therein named ;

To provide for the payment of officers of elections ;

To facilitate the trial of divorce suits in circuit courts ;

To amend an act to loan and appropriate the three per cent. fund and its interest, and to repeal certain parts thereof ;

To repeal an act therein named ;

For relief of defendants in judgment, rendered by judge disqualified by law ;

Were severally read a second time and referred to the judiciary committee.

Senate bill, for the relief of Mary West, of Barbour county ;

Was read a second time ;

On motion of Mr. Worthy, the bill was amended, by adding at the end of it—and shall be allowed to marry again.

Bill as amended, was read third time and passed.

Senate bill, to provide for an election to fill vacancies, &c. ;

Was read a second time and referred to the committee on privileges and elections ;

Senate bill, for the relief of Elizabeth G. Reed of Lee county, and Mrs. Elizabeth P. Parker, of Sumter county ,

Was read a second time.

On motion of Mr. Wise, the bill was amended by adding the name of Mrs. Mahala Robinson, wife of Luke Robinson of Randolph county.

Bill as amended, was then read a third time and passed.

Senate bill, to amend the revenue laws of Alabama ;

Was read a second time and laid on the table.

Senate bill, to authorize the Commissioners' Court of Lee county to establish a Charity Hospital ;

Was read a second time and referred to the committee on poor laws and charitable institutions.

Senate bill, to repeal section 655 of the Revised Code.

Was read a second time ;

Mr. Oliver offered a substitute ;

Mr. Worthy moved to lay the bill and substitute on the table ;

Which motion was lost—yeas 7, nays 10 ;

Those who voted in the affirmative are, Messrs. Barr, Farden, Lambert, Mahan, Martin, Sevier and Worthy—7.

Those who voted in the negative are, Messrs. Bromberg, King, McAfee, Oliver, Pennington, Richards, Sanford, Sibley, Whitney and Yordy—10.

Bill and substitute were referred to the Judiciary Committee.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 8, 1868. }

*Mr. President :*

The House has originated and passed bills as follows :

To appoint guardians for *non compos mentis* ;

For the relief of Chas. B. Lepsy, of Montgomery county ;

To authorize A. Daviney, tax collector of Franklin coun-

ty, to receive the assessment of taxes for the year 1868, from Sam'l M. Stinson, late tax collector of the so-called county of Colbert ;

And has originated and adopted the following Joint Resolutions :

In relation to the joint committee on public institutions ;

To regulate the time for holding courts for Escumbia county ;

To amend section 2345 of the Code ;

And to empower the circuit court of Marshall county to issue bonds and for other purposes.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

Leave of absence was granted to Mr. Jones on account of the illness of his child.

House bill, to authorize A. Diviney, tax collector of Franklin county, to receive the assessment of taxes for the year 1868, from Samuel W. Stinson, late tax collector of the so-called Colbert county,

Was read twice and referred to the judiciary committee.

Mr. Barr introduced joint resolutions in relation to aid from Congress for the improvement of the Tennessee river ;

Which were read, and pending their consideration—

Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, December 9, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Farden, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Wyman and Yordy—21.

Journal of yesterday was read and approved.

Senate reconsidered the vote by which it passed the House bill, to continue the City Court of Montgomery ;

On motion of Mr. Stow, the bill was indefinitely postponed.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :



By Mr. Hinds, for the relief of the securities of James Blevins, administrator of the estate of Josiah Blevins, deceased, of the county of Winston.

By Mr. Mahan, to repeal an act to prevent the sale of spirituous liquors within one mile of Elliottsville, in Shelby county ;

To repeal an act to prevent the sale of spirituous liquors within one mile of Mulberry Academy, in Bibb county, approved November 29, 1861.

By Mr. Pennington, to amend an act to abolish fences in a portion of Montgomery county ;

Which bills were severally read and ordered to a second reading.

By Mr. Whitney, to amend section 3706 of the Revised Code ;

By Mr. Mabry, for the relief of Herbert Pearson late tax collector of Barbour county, and his sureties on his official bond ;

Which bills were severally read twice and referred to the committee on taxation.

By Mr. Whitney, joint resolution in relation to joint committee to visit the public institutions of the State ;

Which was adopted.

By Mr. Whitney, to incorporate the town of Scottsboro, in Jackson county ;

Which bill was read twice and ordered to a third reading.

Mr. Sevier gave notice that he would move to re-consider the vote by which was lost, the bill,

To aid in the improvement and opening of the Cahaba river to navigation ;

By Mr. Sanford, to amend article 1, chapter 1, title 5, of the Revised Code ;

Which bill was read twice and referred to a select committee composed of Messrs. Sanford, Wyman and Yordy.

By Mr. Wise, to authorize the commissioners' court of Cleburne county to levy a special tax ;

To repeal an act to regulate the fees of jurors and witnesses in the county of Chambers ;

By Mr. Pennington, for the relief Joseph Lancaster, of Chambers county ;

By Mr. Martin, to amend an act supplementary to an act to change the county seat of Russell county ;

By Mr. Wyman, to allow the settlement of the estate of Meson Ware, deceased, late of Sumter county, to be made in the court of probate of Perry county ;

By Mr. Bromberg, to amend the charter of the Washington Fire and Marine Insurance Company of Mobile ;

By Mr. Hays, for the relief of the commissioners of Hale county ;

By Mr. Pennington, to authorize the commissioners court of Lee county to borrow money to build a court house ;

Which bills were severally read three times and passed.

By Mr. Pennington, to authorize Thomas A. Reid, of Lee county, to practice medicine ;

Which bills were read twice and referred to a select committee composed of Messrs. Sevier, Morton and Worthy.

By Mr. Pennington, to repeal an act to amend the first section of an act entitled an act to incorporate the town of Bluffton, in the county of Chambers, and to amend the first section thereof ;

By Mr. Farden, to change the county seat of Autauga county ;

Which bills were severally read twice and referred to the committee on municipal and county organizations.

By Mr. Glass, for the relief of W. G. Campbell ;

By Mr. Mabry, to amend section 2669 of the Revised Code ;

By Mr. Farden, to grant new trials to Daniel Woodsworth of Autauga county ;

To adopt and put in full force the Civil Code of 1852 and the Penal Code of 1865-66 ;

To define the duties of justices of the peace ;

To repeal an act to continue in force certain laws, approved July 29, 1868.

By Mr. Bromberg, for the relief of the widow and children of Henry Blair, otherwise called Carl Theodore Herman ;

By Mr. Richards, to repeal section 4096 of the Revised Code, and to define the duties of grand jurors and circuit judges ;

For the renewal of venue in certain cases ;

For the relief of sheriffs, clerks of circuit courts and judges of probate ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Mabry, for the relief of Emily Laird ;

Which bill was read twice.

On motion of Mr. Worthy, the bill was amended to include Mrs. Elizabeth Greise, wife of Shepherd Greise of Montgomery county ;

As amended, the bill was read a third time and passed.

By Mr. Farden, joint resolution to appoint a committee to receive applications for relief of destitutes ;

Which was read.

Mr. Pennington offered a substitute.

On motion of Mr. King, the joint resolution and substitute were laid on the table—yeas 14, nays 10.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Glass, Hinds, King, Lambert, Mahan, Morton, Oliver, Richards, Sanford, Sibley and Whitney—14

Those who voted in the negative are, Messrs. Barr, Farden, Foster, Hays, Johnston, Mabry, McAfee, Pennington, Sevier and Wyman—10.

By Mr. Hays, to amend an act incorporating the Alabama Mining and Manufacturing Company ;

Which bill was read twice and referred to the committee on internal improvements.

By Mr. Hays, to facilitate repairs on the public roads and highways of this State ;

By Mr. Worthy, for the relief of Archibald C. McIntyre ;

Which bills were severally read twice and referred to the committee on grievances and disabilities.

By Mr. Yordy, to provide for the payment of the interest on the school fund ;

Which was read twice and referred to the committee on education.

By Mr. Foster, to incorporate the town of Pickensville ;

By Mr. Bromberg, to amend section 491 of the Revised Code ;

Which bills were severally read and ordered to a second reading.

By Mr. Bromberg, to amend the charter of the City Savings Association of Mobile ;

Which bill was read twice and referred to the committee on banks and insurance.

By Mr. Barr, to provide adequate compensation to the clerk of the Supreme Court ;

Which bill was read twice and referred to the committee on fees and salaries.

By Mr. Richards, joint resolution in relation to declaring martial law ;

Was read a second time.

Mr. Worthy moved to refer to a select committee ;

Which motion was lost.

Joint resolution was referred to the committee on militia.

By Mr. King, joint resolution providing for adjournment *sine die* ;

Which was read.

Mr. Whitney moved to lay on the table ;

Which motion was lost ;

Yeas 7, nays 18.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Richards, Sibley, Wyman and Yordy—7.

Those who voted in the negative are, Messrs. Bromberg, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mahan, McAfee, Oliver, Pennington, Royal, Sanford, Sevier, Stow, Whitney and Worthy—18.

Mr. Bromberg moved to reconsider said vote ;

Which motion was lost.

On motion of Mr. Pennington,

The joint resolution was amended by substituting “ 24th ” for “ 19th.”

As amended, the joint resolution was adopted ;

Yeas 21, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, McAfee, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Stow, Whitney, Wise, Wyman and Yordy—21.

Those who voted in the negative are, Messrs. Farden, Mabry, Mahan, Martin, Sibley and Worthy—6.

Leave of absence was granted to Mr. Merton.

Joint resolution in relation to aid from Congress for the improvement of the Tennessee river,

Was read a second and third time and passed.

Senate bill—

To authorize the town authorities of Tuskegee to levy and collect a railroad tax ;

Was read a third time and laid on the table.

Senate bill—

To give the special term, December, 1868, circuit court of Macon county, the same force and effect in law as a regular term of said court ;

Was read three times and passed.

Senate bill—

To amend section 3515 of the Revised Code, so far as relates to commissions on sales made by registers in chancery ;

Was read a third time and indefinitely postponed.

Mr. Farden offered the following resolution ;

Which was adopted :

*Resolved*, That from and after to-day, the call of the districts

be dispensed with, and no new bills be introduced except on Monday and Thursday, until the business now before the Senate is disposed of.

Senate bill—

To provide for obtaining divorce in courts of probate ;  
Was read a second time.

Mr. Hays moved to lay on the table,  
Which motion was lost.

Bill was indefinitely postponed.

Mr. President announced Mr. Hays as a member of the committee on militia, in place of Mr. Coon.

Senate bill—

For the relief of E. J. Oden of Franklin county ;  
Was read a second and third times and passed ;  
Yeas 26, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, King, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Worthy, Wyman and Yordy—26.

Senate bill—

To legalize the marriage of Reuben Wilson and Rufina Wilson, of Jackson county ;

Which was read twice and referred to the committee on grievances and disabilities.

Senate bill—

To amend an act therein named ;  
Was read a second and third time and passed.

Senate bill—

For the relief of R. T. Scott, jr., of Jackson county ;  
Was read a second time and ordered to a third reading.  
Senate adjourned till 10 o'clock to-morrow morning.

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THURSDAY, December 10, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

Journal of yesterday was read and approved.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Foster, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Martin, Oliver, Pennington, Rich-

ards, Royal, Sanford, Sevier, Stow, Whitney, Wise, Wyman and Yordy—23.

Call of the districts was suspended.

House bill—

To regulate the holding of courts in Escambia county ;

Was read three times and passed.

House bill—

To make Elizabeth J. Edwards a free-dealer ;

Was read twice.

On motion of Mr. Farden,

The bill was amended by adding Martha A. Wadsworth, wife of Daniel Wadsworth, of Autauga county.

On motion of Mr. Whitney,

It was also amended to include Judith May Scott, of Jackson county.

Mr. Oliver moved to amend so as to include, "all the women in the State of Alabama ;"

Which amendment was laid on the table.

Bill, as amended, was read a third time and passed.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the bill—

To provide for the location of the court house of Autauga county ;

Which was read a third time and passed.

Also, from the same committee, reported favorably to the bill—

To repeal the first section of an act to incorporate the town of Bluffton, &c. ;

Which was read a third time and passed.

Mr. Farden, from the committee on internal improvements, reported adversely to the bill—

To amend section 7 of an act to incorporate a toll bridge company at Wetumpka.

Senate, at first refused to receive the report of the committee.

Mr. Worthy appealed from the decision of the chair, which was that the report was still in the hands of the committee, and that a motion to take it out of the hands of said committee was out of order;

And the decision of the chair was sustained.

Report was then received.

On motion of Mr. Oliver,

The bill was recommitted to the judiciary committee.

Also, from the same committee, reported adversely to bills—

To authorize the consolidation of railroad companies in Alabama ;

To amend section 8 of an act to incorporate the New Orleans and Selma Railroad Company, approved February 23, 1866 ;

Which reports were concurred in.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 10, 1868. }

*Mr. President :*

I am directed to inform the Senate of its having concurred in the passage of the Senate bill —

To declare Joseph Lancaster, of Chambers county, a free dealer ;

Also, joint resolution—

In relation to the appointment of a joint committee on public institutions.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
December 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To allow the tax collector of Marion county to hold the office of sheriff of said county ;

To allow Wash G. Cain to establish a ferry across the Tallapoosa river ;

To provide for the support of hospital patients at Talladega.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
December 10, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed Senate bill, with amendment, as herein shown :

To authorize the Georgia Western Railroad company to extend and construct their road from the Georgia line to the town of Gadsden, on the Coosa river.

W. B. CLOUD,  
Clerk of the House.

Mr. Pennington, from the select committee, reported a substitute for the bill, to authorize the courts of county commissioners of Lee, Tallapoosa, Coosa, Talladega and Franklin to subscribe to the capital stock of the Savannah and Memphis Railroad Company.

Mr. McAfee, from the judiciary committee, reported adversely to House bills—

To extend the time to executors, administrators, &c ;

Authorizing parole evidence in certain cases ;

To repeal an act to amend sections 3, 8 and 13 of an act in relation to Chancery Courts in Alabama ;

To authorize Judges of Probate to make amendments *nunc pro tunc* ;

To remove the administration of the estate of William F. Pool and the guardianship of Cecelia J. Pool and Mary E. Pool from Russell to Coffee county ;

Which reports were severally concurred in.

Also, from the same committee, reported adversely to Senate bills—

For the protection of married women and minors ;

To allow judgments to be opened and to grant new trials in certain cases ;

For the relief of William Stringer, administrator of William A. Oden, deceased ;

For the relief of minor heirs and distributees of Thomas M. Cowles, deceased ;

To amend section 2593 of the Revised Code ;

For the protection of practicing physicians in this State ;

To open judgments and grant new trials in certain cases ;

To repeal section 2372 of the Revised Code ;

Which reports were severally concurred in.

Also, from the same committee, reported favorably to the House bill,

To authorize Alfred Daviney, tax collector of Franklin county, to receive the assessment of taxes for 1868 from Samuel M. Stinson, late tax assessor of Colbert county ;

Which bill was read a third time and passed.

House bill, to provide for hospital patients at Talladega ;

Was read twice, and referred to a select committee com-



posed of Messrs. McAfee and Barr, with instructions to report to-morrow.

Mr. McAfee, from the judiciary committee, reported a substitute for the bill, to amend section 1410 of the Revised Code ;

Which substitute was adopted and the bill read a third time and passed.

Also, from the same committee, reported favorably to the bills—

To preserve the liens of judgments in cases where new trials are granted under Ordinance No. 49, passed December 6, 1867 ; and to preserve the proportion of such judgments against which there is no good and meritorious defense ;

To confer equity jurisdiction upon the circuit courts of Alabama ;

Which bills were severally read a third time and passed.

Also, from the same committee, reported adversely to the bill

For the relief of Reuben Trotter, of Lee county, and to make said Trotter a free dealer ;

Which report was not concurred in.

Bill was read a third time and passed.

The vote was reconsidered concurring in the adverse report to the bill

For the relief of William Stringer, administrator of William A. Oden, deceased ;

Bill was recommitted to a select committee, composed of Messrs. Whitney, Hinds and Worthy.

Message from the Governor as follows :

*Mr. President :*

I am directed by the Governor to communicate to the Senate a message in writing.

Very respectfully,

D. L. DALTON, private secretary.

EXECUTIVE DEPARTMENT }  
STATE OF ALABAMA, }  
Montgomery, December 10, 1868. }

*Gentlemen of the Senate and  
House of Representatives :*

I transmit herewith, a copy of the annual report of the

Principal of the State Institution for the Deaf, Dumb and Blind at Talladega. The report is submitted for the information it contains, relative to the condition and practical workings of that Institution. In connection with it, however, it does not appear that any additional legislation is necessary.

WILLIAM H. SMITH.

Report was laid on the table and 500 copies ordered to be printed.

Mr. McAfee, from the judiciary committee, reported favorably to the bill,

To prevent marauding, shooting and hunting with guns and dogs on private lands;

Mr. Worthy moved to amend by adding the words,

“And who shall kill any stock or do any damage to the lands;”

Mr. Pennington moved to indefinitely postpone the bill and amendment.

Which motion was carried—yeas 12, nays 8.

Those who voted in the affirmative are, Messrs. King, Lambert, Martin, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Whitney, Wise and Yordy—12.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Hinds, Mahan, McAfee, Richards, Stow, Whitney and Worthy—8.

Senate adjourned till 10 o'clock to-morrow morning.

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FRIDAY, December 11, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford of the Senate.

On the call of the roll, the following Senators answered to their names:

Messrs. Buckley, Farden, Foster, Glass, Hays, King, Lambert, Mabry, McAfee, Martin, Oliver, Richards, Sanford, Sevier, Sibley, Stow, and Yordy—18.

Journal of yesterday was read and approved.

Mr. Whitney, from the select committee, reported favorably to the bill,

For the relief of William Stringer, administrator of William A. Oden, deceased;

Which bill was read a third time and passed.

Mr. Bromberg, from the select committee, reported a bill,

To regulate vessels entering the bay and harbor of Mobile ;  
Which bill was read three times and passed.

Mr. Farden, from select committee, reported favorably with an amendment, to House bill,

To prevent the destruction of game in Autauga county ;

Mr. Worthy moved to lay the bill on the table, which motion was lost;

The amendment was adopted.

On motion of Mr. Hays, Greene county was added ;

Bill was read a third time and passed—yeas 17, nays 8.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, Foster, Hays, Johnston, Lambert, Mabry, Martin, Richards, Sanford, Sevier, Sibley, Stow, Whitney and Wise—17.

Those who voted in the negative are, Messrs. Hinds, King, Mahan, McAfee, Morton, Oliver, Worthy and Yordy—8.

Mr. Hays gave notice that he would move to reconsider the vote concurring in the adverse report to the House bill,

To repeal an act to amend sections 3, 8 and 13 of an act in relation to chancery courts in Alabama ;

On motion of Mr. Whitney on the passage of the bill,

To preserve liens of judgments in cases where new trials are granted under Ordinance No. 39, &c. ;

Was reconsidered.

Mr. Hays moved to indefinitely postpone the bill ;

Mr. Whitney called the previous question, which was sustained—yeas 22, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Whitney, Wise and Yordy—22.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, Sibley, Stow and Worthy—6.

And the main question being put, the bill was indefinitely postponed—yeas 19, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Pennington, Richards, Royal, Sanford, Sevier, Whitney, Wise and Yordy—19.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, McAfee, Oliver, Sibley, Stow and Worthy—8.

Mr. Worthy, from the select committee, reported a substitute for the House bill—

To provide for holding the probate courts of Butler county in the city of Montgomery ;

Which substitute was laid on the table ;

Mr. Mabry moved to lay the bill on the table ;

Which motion was lost ;

Mr. Pennington moved to indefinitely postpone the bill ;

Mr. Worthy moved to lay the bill on the table ;

Which motion was carried—yeas 14, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, King, Lambert, Mabry, Mahan, Oliver, Pennington, Royal, Sevier, Stow and Worthy—14.

Those who voted in the negative are, Messrs. Buckley, Foster, Hays, McAfee, Martin, Richards, Sanford, Sibley, Whitney, Wise and Yordy—11.

Leave of absence was granted to Mr. Wyman for four days.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 11, 1868. }

*Mr. President :*

The House has originated and passed the following bill :

To incorporate the town of Marion, in the county of Perry.

Very respectfully,

WM. B. CLOUD,  
Clark of House.

The Senate adjourned till 10 o'clock to-morrow morning

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SATURDAY, December 12, 1868.

Senate met pursuant to adjournment.

On call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—22.

Journal of yesterday was read and approved.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 12, 1868. }

*Mr. President :*

The House has originated and passed the following bills:

To amend section 3578 of the Revised Code ;

For the relief of W. A. Creamer and Elizabeth Creamer, of Covington county ;

To permit R. J. Wood, a non-resident, to administer upon the estate of his father ;

To restrict taxation in the town of Greenville ;

And has concurred in the amendments to the following bills :

To prevent the destruction of certain game in Autauga county ;

To authorize the levy and collection of a special tax in Coffee county ;

Also, to the following joint resolutions :

For the appointment of a joint committee in relation to securing certain lands to aid in establishing an agricultural college.

The House has originated and passed the following bills :

A bill to repeal section 4962 of the Revised Code of Alabama ;

A bill to amend section 4963 of the Revised Code of Alabama ;

A bill to amend an act to incorporate the New Orleans and Selma Railroad company ;

And has also passed the following Senate bill :

To continue to the Western railroad company the benefit of an act entitled an act directing the delivery to the Western railroad company, of a certain bond given by the Alabama and Mississippi Rivers railroad company to the State of Alabama, for a part of the two per cent. fund.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate bill, for the relief of Robert J. Scott, jr., of Jackson county ;

Was read a third time ;

The name of J. F. Morton, of Fayette county, was added.

On motion of Mr. Lambert, the bill was referred to a select committee, composed of Messrs. Lambert, Whitney and Sevier.

Senate bill, to incorporate the town of Scottsboro, Jackson county;

Was read a third time and passed.

House bill, to declare Thomas M. Springfield, a citizen of St. Clair county;

Was read twice;

On motion of Mr. Oliver, the bill was amended as follows:

That the boundary line between the counties of Etowah and St. Clair be changed, so as to include Thomas M. Springfield, as a citizen of St. Clair county;

As amended, the bill was read a third time and passed—yeas 18, nays 0;

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Glass, Hays, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Richards, Royal, Sanford, Sibley, Whitney, Wise and Yordy—18.

House bill—

To authorize the commissioners court of St. Clair, Calhoun, Bibb, Franklin, Blount and Covington counties to levy an additional tax for 1869, to pay off the indebtedness of said counties;

Was read a third time and passed.

House bill—

To appoint guardians for *non compos mentis*;

Was read twice.

On motion of Mr. Whitney, the bill was amended by inserting:

“Without the limits of this State.”

As amended,

Bill was then read a third time again and passed.

House bill—

To create a new county to be called the county of Geneva;

Which bill was read twice and referred to the committee on municipal and county organizations.

Mr. Hays, from the committee on militia, reported favorably to joint resolution—

In relation to declaring martial law.

On motion of Mr. Worthy,

Joint resolution was made special order for 11 o'clock on Monday next.

Senate bill—

For the relief of Lucinda Ellinger, of Bibb county;

Was read a second time and ordered to a third reading.

Senate bill—

For the relief of James M. Moragne, was read a second time.

On motion of Mr. Worthy,

The bill was amended by adding :

“ Any law to the contrary notwithstanding.”

As amended, the bill was read a third time and passed.

Senate adjourned till 10 o'clock Monday morning.

SENATE CHAMBER,        }  
Monday, December 14, 1868.   }

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Sibley, Stow, Wise, Worthy, Wyman and Yordy—24.

Journal of yesterday was read and approved.

Mr. President had Rule No. 8 of the Senate read by the Secretary for the benefit of the Senate.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills were introduced :

By Mr. Sevier, to prevent the unlawful taking of fruits and vegetables from the lands of owners and tenants and for punishment of same ;

To amend section 4425 of the Revised Code ;

Which were severally read and ordered to a second reading.

Mr. Sevier, from the select committee, reported adversely to the bill—

To authorize Thomas A. Read, of Lee county, to practice medicine ;

Which report was concurred in.

By Mr. Hinds, to create a new county from portions of Lawrence, Limestone, Morgan and Winston, and for other purposes ;

Which bill was read twice and referred to the committee on municipal and county organizations.

By Mr. Sibley, to authorize the Memphis and Charleston Railroad company to construct branch roads by the increase of its capital stock ;

To authorize the Memphis and Charleston Railroad company to issue bonds, secured by mortgage, for the construction of branch roads ;

Which bills were severally read twice, and referred to a select committee, composed of Messrs. Sibley, Farden and Whitney.

By Mr. Sibley, to establish a city court for Huntsville ;

To amend section 2925 and 4031 of the Revised Code ;

By Mr. Oliver, for the appointment of registers in chancery for each county ;

By Mr. Pennington, to amend section 2930 of the Revised Code ;

To allow widows, orphans and others to test the validity of settlements, &c. ;

By Mr. Martin, to secure redress for wrong or trespass as to persons or property ;

By Mr. Mabry, requiring the Secretary of State to furnish county solicitors with certain books ;

By Mr. Stow, for the relief of W. J. Chancey, administrator ;

By Mr. Buckley, for the protection of plantations and lands from depredations of stock in Lowndes county ;

By Mr. Hays, authorizing probate judges to declare free dealers ;

By Mr. Yordy, to remove the administration of the estate of David Blackshire ;

By Mr. Foster, to amend section 1929 of the Revised Code ;

To amend section 2678 of the Revised Code ;

By Mr. Barr, to amend 3079 of the Revised Code ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Johnston, to establish a chancery court for the county of Hale ;

By Mr. Hays, to incorporate the town of Eutaw ;

To change the time of holding the fall term of the chancery court of Greene county ;

By Mr. Foster, for the relief of the estate of F. S. Denson, deceased, late of Choctaw county ;

By Mr. Barr, to amend an act to amend sections 3, 8 and 13 of an act in reference to the chancery courts of Alabama ;

By Mr. Richards, to register and pay claims against the county of Wilcox ;



By Mr. Worthy, to incorporate the town of Briar Hill in Pike county ;

Which bills were severally read a third time and passed.

By Mr. Sanford, to provide for the location of the court house of Barbour county ;

Which bill was read twice ;

On motion of Mr. Worthy, the bill was laid on the table.

By Mr. McAfee, to incorporate the town of Millersville, Talladega county ;

Which was read twice and referred to a select committee composed of Messrs. McAfee, Hays and Lambert.

By Mr. Pennington, in relation to the New Orleans, Mobile and Chattanooga railroad company ;

By Mr. Mabry, to amend an act to incorporate the Sepulga River Manufacturing company, of Conecuh county ;

By Mr. Farden, to authorize the Governor to endorse the bonds of the Montgomery and Eufaula railroad company under act of July 17, 1856 ;

Which bills were severally read twice and referred to the committee on internal improvement.

By Mr. Pennington, to authorize the corporators, their successors, or the trustees of the First Alabama female college to change the character of that institution to that of military and scientific academy, and to establish a lottery ;

Which bill was read twice and referred to the committee on education.

By Mr. Pennington, for the relief McClung and Jacques ;

Which bill was read twice and referred to a select committee, composed of Messrs. Pennington, Barr, Whitney, Mabry, and Glass.

By Mr. Pennington, joint memorial relating to the removal of political disabilities ;

Which was read, and on motion of Mr. Oliver, laid on the table—yeas 20, nays 6.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, King, Mahan, McAfee, Martin, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney and Yordy—20.

Those who voted in the negative are, Messrs. Barr, Johnston, Mabry, Pennington, Wise and Worthy—6.

By Mr. Glass, to amend the Macon county railroad charter ;

Which was read twice and referred to a select committee, composed of Messrs. Glass, Stow and Buckley.

By Mr. Farden, to appoint a commissioner to revise and codify the Revised Code of Alabama ;

Which bill was read first time, and ordered to second reading.

By Mr. Buckley, to extend the time for the collection of the taxes for 1867, in Lowndes county;

By Mr. Johnston, for the relief of A. B. Faver, and others;

Which bills were severally read twice and referred to the committee on taxation.

By Mr. Hays, supplemental to an act for the suppression of secret organizations for the purpose of committing crimes and outrages;

Which bill was read twice and referred to the joint committee on outrages.

By Mr. Yordy, for the protection of holders of insurance policies in this State;

Which bill was read twice and referred to the committee on banks and insurance.

By Mr. Yordy, for the organization and government of the volunteer militia;

Which bill was read twice and referred to the committee on militia.

By Mr. Bromberg, a petition of the mayor, aldermen and councilmen of Mobile;

Which was read and referred to a select committee, composed of Messrs. Bromberg and Foster.

By Mr. Barr, relating to the great seal of the State;

Which bill was read twice and referred to a select committee, composed of Messrs. Barr, Pennington and Stow.

By Mr. Whitney, to provide compensation for carrying the journals of the General Assembly and the Acts, and reading proof of same;

Which bill was read twice and referred to the committee on fees and salaries.

Mr. McAfee, from the joint committee on outrages, submitted a report accompanied by the testimony elicited by the committee;

Report was read and laid on the table, and 1,000 copies of the report and testimony were ordered to be printed.

On motion of Mr. Whitney, joint resolution relating to declaring martial law, was made special order for 11 o'clock on Saturday next.

House bill—

To amend an act to incorporate the New Orleans and Selma railroad company;

Was read twice and referred to the committee on internal improvements.

Mr. Whitney, from the committee on enrolled bills, reported as follows:

Your committee on enrolled bills have examined bills of the following titles, and find them correctly enrolled :

An act to continue to the Western railroad company the benefits of an act directing the delivery to the Western railroad company, of a certain bond given by the Alabama and Mississippi Rivers railroad company, to the State of Alabama, for a part of the two per cent. fund ;

An act to incorporate the town of Scottsboro, county of Jackson.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

An act for the relief of A. J. Applegate, Lieutenant Governor of the State of Alabama ;

An act to change the time of holding the circuit court of the sixth judicial circuit ;

An act to regulate and establish legal proceedings in Franklin county ;

An act to provide for the location of the court house of Autauga county.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 14, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

To change the name of Fannie Roby to Fannie Roby Jones ;

To authorize the tax collector of the city of Demopolis to collect the taxes of said city ;

For the relief of Walter Ross and Wiley Ross of the county of Lee ;

For the relief of Hugh Albin Cooper, of Tuskaloosa county ;

For the relief of John D. West ;

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages ;

To change the jurisdiction of the city court of Mobile ;

And has also passed joint resolution—

To regulate the State House and the public property connected therewith ;

And has also amended and passed Senate bill for the relief of Walter D. Wilson, of Bibb county, as therein shown.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
December 14, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles, to-wit :

To make Rebecca Franklin, of Montgomery county, a free dealer ;

To make valid the acts, contracts and suits entered into after the passage of this act by W. J. May, of Pike county ;

For the relief of the estate of William Cameron, deceased, late of St. Clair county ;

To provide for the sale of land and other property of insolvent estates ;

To make Mary Ann Read, wife of Thomas Reed, of Montgomery, a free dealer ;

To confer on Elizabeth Wilder, administratrix of the estate of Robert Wilder, power to sell certain lands ;

To relieve W. B. Lyman and Andrew J. Taylor, of Winston county ;

To extend the time for collecting the taxes of Henry county ;

To amend section 2934 of the Revised Code, &c. ;

To repeal an act therein named ;

To repeal certain sections of the Revised Code ;

To repeal subdivisions one and three of section 2871 of the Revised Code, and to provide for the sales of real estate ;

Requiring executors and administrators to sue in certain cases and providing for an equal distribution of the assets of estates of insolvents ;

To secure mechanics and laborers liens ;

To amend section 2776 of the Revised Code ;

And has concurred in the amendment to the following House bill :

To declare Thomas M. Springfield a citizen of St. Clair county.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
December 14, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that the House has originated and passed bill of the following title:

To reorganize the municipal government of the city of Mobile;

To confirm and make valid the official acts of the judge of probate of Butler county, and for other purposes.

The House has passed the following Senate bill:

For the relief the poor of this State

WM. B. CLOUD, Clerk of House.

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, December 15, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names:

Messrs. Barr, Bromberg, Buckley, Farden, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Wyman and Yordy—21.

Journal of yesterday was read and approved.

Mr. Royal offered the following resolution;

Which was adopted:

That Taliaferro Page be expelled as a page of the Senate, and that the Secretary of the Senate be authorized to appoint a page in his place.

On motion of Mr. Worthy,

Said resolution was referred to a select committee, and Messrs. Worthy, Royal and Buckley were appointed.

#### REPORTS OF STANDING COMMITTEES.

Mr. Stow, from the committee on finance, reported adversely to the bill—

To provide for the adjustment of and payment of claims against the State of Alabama ;

Which report was concurred in.

Mr. Yordy, from the committee on taxation, reported adversely to the bill—

To amend section 3706 of the Revised Code ;

Which report was concurred in.

Mr. McAfee, from the judiciary committee, reported adversely to the bill—

To confer authority upon probate judges to make free dealers ;

Mr. Whitney offered the follow resolution,

Which was lost :

*Resolved*, That no part of the testimony given before the committee on outrages shall be suppressed, but the testimony shall be published in full.

Mr. McAfee, from the judiciary committee, reported adversely to the bill—

To repeal chapter 4, title 1, part 3, of the Revised Code ;

Report was not concurred in, and bill read a third time and passed.

Also, from the same committee, reported adversely to bills :

To authorize the commissioners court of Cleburne county to issue county treasury notes ;

To facilitate the trial of divorce suits in circuit courts ;

For the relief of W. J. Mayo, of Chambers county ;

To open judgments or decrees for money rendered when the cause of action existed prior to May 25, 1865 ;

To amend an act approved October 10, 1868 ;

To grant new trials to Daniel Wadsworth, of Autauga county ;

Which reports were severally concurred in.

Also, from the same committee, reported adversely to the bill—

For the relief of defendants in judgments rendered by judge disqualified by law ;

Which report was concurred in ;

Yeas 13, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Bromberg, Farden, Hays, Johnston, McAfee, Martin, Morton, Richards, Stow, Whitney and Yordy—13.

Those who voted in the negative are, Messrs. Mabry, Mahan, Pennington, Royal, Sanford, Sibley, and Worthy—8.

Also, from the same committee, reported adversely to the bill—

For the relief W. E. Jeffcoat of the county of Crenshaw ;  
Which report was concurred in—yeas 16, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Glass, Hinds, Johnston, McAfee, Martin, Oliver, Richards, Royal, Sevier, Sibley, Whitney, Wise, and Yordy—16.

Those who voted in the negative are, Messrs. Buckley, Foster, Hays, King, Lambert, Mabry, Mahan, Morton, Pennington, Sanford and Worthy—11.

Also, from the same committee, reported adverse to the bill,

To authorize Attoway R. Davis, late general administrator of Greene county, to make settlement, &c. ;

Which report was *not* concurred in—yeas 12, nays 13.

Those who voted in the affirmative are, Messrs. Bromberg, Lambert, Mabry, Mahan, McAfee, Oliver, Richards, Royal, Sevier, Stow, Whitney and Worthy—12.

Those who voted in the negative are, Messrs. Barr, Buckley, Foster, Hays, Hinds, Johnston, King, Martin, Morton, Pennington, Sanford, Sibley and Yordy—13.

House bill—

To reorganize the municipal government of the city of Mobile ;

Was read twice.

Mr. Worthy moved to refer the bill, which motion was lost, and bill was ordered to a third reading.

Messages from the Governor as follows :

*Mr. President :*

The Governor has this day approved and signed a bill which originated in the Senate, to be entitled,

An act for the relief of the poor of this State ;

An act for the relief of Isaac W. Sullivan, of Elmore county ;

And also a joint resolution to regulate the State House, and to protect the public property connected therewith.

Very respectfully,

Your obedient servant,

D. L. DALTON, Secretary.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
December 15, 1868. }

*Mr. President :*

The House has originated and passed bills as follows :

For the relief of Jas. P. Wood of Barbour county ;  
 To provide fuel for the county jail of Madison county ;  
 For the relief of Martha Ann Duke, of Washington county ;  
 To authorize the summoning of a jury before the county  
 court of Coffee county in certain cases ;

For the relief of Arraney Page of Washington county ;  
 To relieve Thos. Hardy, guardian of Martha, Finas and Luke  
 P. Hardy, minors, from the provisions of section 2421 of the  
 Revised Code ;

For the relief of Wm. G. Gunter of Blount county ;  
 For the relief of Geo. P. Kinsey of Henry county ;  
 To make Elenora Matilda Brooks of Elmore county a free  
 dealer ;

For the relief Daniel McCartney, probate judge of Washing-  
 ton county ;

For the relief of the tax payers of Covington county ;  
 For the relief of W. B. Hammet of Talladega county ;  
 For the relief Georgiana C. Adkinson.

The House has passed the following Senate bill :

A bill for the relief of Isaac W. Sullivan of Elmore county,  
 and has originated the following bill :

A bill to amend section 3868 of the Revised Code, and has  
 also originated and passed joint resolution in relation to per-  
 sons laboring under political disabilities.

W. B. CLOUD, Clerk.

Senate adjourned till 7 p. m.

#### NIGHT SESSION.

Senate met pursuant to adjournment.

On the call of the roll, the following Senators answered to  
 their names :

Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays,  
 Hinds, Lambert, Mabry, Mahan, McAfee, Oliver, Royal, Se-  
 vier, Sibley, Stow, Whitney, Wise and Yordy—19.

Senate bill—

To authorize Attoway R. Davis, late general administrator  
 of Greene county, to make settlement ;

Was read a third time and passed—yeas 12. nays 7 ;

Those who voted in the affirmative are, Messrs. Barr, Buck-  
 ley, Foster, Glass, Hays, Hinds, Mabry, Royal, Sibley, Whit-  
 ney, Wise and Yordy—12.

Those who voted in the negative are, Messrs. Bromberg,  
 Lambert, Mahan, McAfee, Oliver, Sevier and Stow—7.

House bill—



To reorganize the municipal government of the city of Mobile;

Was read a third time and passed.

House bill—

To adopt the law in relation to the incorporation of the city of Tuscumbia and for other purposes ;

Was read a third time and passed.

Senate concurred in the amendment of the House to the Senate bill,

To authorize the Georgia Western Railroad Company to extend and construct their road, &c. ;

Mr. Wise gave notice that he would move to reconsider the vote concurring in the adverse report on the bill,

To open judgments or decrees for money rendered by any of the courts of this State where the cause of action existed prior to May 25, 1865.

Mr. Farden, from the committee on internal improvements, reported favorably to the House bill,

To amend the charter of the New Orleans and Selma Railroad Company ;

Mr. Oliver moved to strike out all in section 2 relating to exemption from taxation ;

Mr. Foster moved to lay said motion on the table, which motion was lost—yeas 9, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Farden, Foster, Glass, Hays, Mabry, Pennington, Sibley and Whitney—9.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Hinds, Lambert, Mahan, McAfee, Oliver, Sevier, Stow, Wise and Yordy—11.

Mr. Whitney moved to make the bill special order for 11 o'clock to-morrow, which motion was lost.

Mr. Sibley offered the following substitute for Mr. Oliver's amendment, which was adopted ;

“ Provided, That land so exempted shall not be located more than 10 miles from the line of said road and for five years.”

Mr. Yordy offered the following amendment, which was adopted :

“ Provided, That the road is completed within 10 years from the passage of this act ; otherwise, this act to be null and void and of no effect ;”

On motion of Mr. Farden, the enacting clause was inserted in sections 2, 3, 4 and 5.

Senate refused to suspend the rule to give the bill a third reading forthwith—yeas 17, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, Lambert, Mabry, Pennington, Royal, Sibley, Whitney, Wise and Yordy—17.

Those who voted in the negative are, Messrs. Mahan, McAfee, Oliver, Sevier and Stow—5.

On motion of Mr. Farden, the bill was made special order for 11 o'clock to-morrow morning.

Senate adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, December 16, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richards, of the Senate.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Foster, Hays, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—21.

Journal of yesterday was read and approved.

Mr. Hays offered the following joint resolution :

*Resolved*, By the Senate, the House concurring, that the Senate take up House bills and the House the Senate bills, to the exclusion of all other business except on Mondays and Thursdays, until the business is disposed of.

Mr. Yordy moved to lay said resolution on the table, which motion was lost.

Mr. Oliver moved to amend so as to include House bills in the hands of committees ;

Resolution was adopted.

Mr. Richards offered the following resolution, which was adopted :

*Resolved*, That the committee to investigate cases of violence and outrages, be instructed to superintend the printing of their report and make such changes and corrections as they may deem necessary.

Mr. Sibley, from the select committee, reported favorably to the bill,

To authorize the Memphis and Charleston Railroad Company to construct branch roads by the increase of its capital stock.

On motion of Mr. Worthy the bill was amended as follows :

Provided, the company shall not be entitled to State aid, nor shall the Governor endorse the bonds of the company under any law now in existence ;

As amended, the bill was read a third time and passed.

Also, from the same committee, reported favorably to the bill,

To authorize the Memphis and Charleston Railroad Company to issue bonds secured by mortgage for the construction of branch roads.

Mr. McAfee offered Mr. Worthy's amendment to lost bill to this bill, which was lost ;

Bill was read a third time and passed—yeas 20, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Hinds, Johnston, Lambert, Mahan, Martin, Pennington, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—20.

Those who voted in the negative are, Messrs. Hays, King, McAfee, Oliver, Royal and Worthy—6.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the House bill, (with an amendment,)

To form a new county to be called Geneva ;

Which amendment was adopted and the bill read a third time and passed—yeas 23, nays 0.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Sanford, Sevier, Sibley, Wise, Worthy and Yordy—23.

Mr. Royal gave notice that he would move to reconsider the vote concurring in the adverse report on the bill,

To grant new trials to Daniel Wadsworth, of Autauga county.

On motion of Mr. Wise, the Senate reconsidered the vote concurring in the adverse report to the bill,

To open judgments or decrees for money rendered by any of the courts of this State, when the cause of action existed prior to May 25th, 1865.

Senate then refused to concur in said report—yeas 9, nays 15.

Those who voted in the affirmative are, Messrs. Bromberg, King, McAfee, Oliver, Sevier, Sibley, Stow, Worthy and Yordy—9.

Those who voted in the negative are, Messrs. Buckley,

Foster, Glass, Hays, Hinds, Johnston, Lambert, Mabry, Mahan, Martin, Morton, Pennington, Sanford, Whitney and Wise—15.

Mr. Bromberg moved to amend by additional section No. 4, as follows :

SECTION 4. Be it further enacted, That all contracts, implied or specific, created during the year from January 1st, 1861, to August 1st, 1866, inclusive to and the same are hereby declared null and void ;

Which amendment, on motion of Mr. Pennington, was laid on the table—yeas 15, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Martin, Morton, Pennington, Sanford, Whitney and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Mabry, Mahan, McAfee, Oliver, Sevier, Sibley, Stow and Worthy—9 ;

Bill was then ordered to a third reading.

Mr. Yordy, from the committee on taxation, reported favorably to the bills,

For the relief of Herbert Pearson, late tax collector of Barbour county, and his sureties on his official bond ;

To extend the time for the collection of the taxes of 1867, in Lowndes county ;

Which bills were severally read a third time and passed.

Also, from the same committee, reported a substitute for the bill,

In relation to the assessment and collection of taxes in Tuscaloosa county ;

Which report and substitute were laid on the table.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the House bill,

To prevent damages to land owners in Washington county, from overflow of water ;

Which bill was read a third time and passed.

Also, from the same committee, reported favorably, with an amendment, to the House bill,

To regulate the carriage of passengers by street railroad corporations, located within the limits of municipal corporations of this State ;

Which amendment was adopted.

On motion of Mr. Whitney, the word “exclusively” was stricken out.

Mr. Sevier moved to amend as follows :

"That this act shall not apply to Mobile alone, but to every public highway in the State of Alabama;"

Which amendment, on motion of Mr. Bromberg, was laid on the table—yeas 14, nays 12.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Foster, King, Lambert, Mabry, Mahan, McAfee, Oliver, Pennington, Richards, Stow, Whitney and Worthy—14.

Those who voted in the negative are, Messrs. Barr, Farden, Hays, Hinds, Johnston, Martin, Morton, Royal, Sanford, Sevier, Sibley and Yordy—12.

Mr. Worthy moved to lay the bill on the table, which motion was lost—yeas 3, nays 23.

Those who voted in the affirmative are, Messrs. Lambert, Mahan and Worthy—3.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Hays, Hinds, Johnston, King, Mabry, McAfee, Martin Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney and Yordy—23.

Mr. Farden moved to amend as follows :

All public highways shall be included in this act ;

Which amendment, on motion of Mr. Lambert, was laid on the table.

Mr. Sibley called the previous question, which was sustained.

Bill was then read a third time and passed—yeas 25, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney and Yordy—22.

Mr. Worthy voted in the negative—1.

Special order came up at 11 o'clock, it being the House bill,

To amend the charter of the New Orleans and Selma Railroad Company ;

On motion of Mr. Lambert, the bill was referred to a select committee, with instructions to report to-night at 7 o'clock ;

Messrs. Yordy, Hays and Pennington were appointed said committee.

House bill,

To make it the duty of the Auditor to issue warrants in certain cases ;

Was read twice.

On motion of Mr. Worthy, the bill was amended by striking out the words,

“Since the 1st session of this General Assembly.”

On motion of Mr. McAfee, the bill was further amended as follows :

“Also, for certificates signed by the President of the Senate and the Speaker of the House of Representatives, for any fractional time or times for the last (called) session of this General Assembly, for or to which any member thereof may be entitled.”

Mr. Yordy moved to lay the bill and amendment on the table, which motion was lost.

Mr. Stow moved to refer the bill to a committee ;

Which motion, on motion of Mr. Foster, was laid on the table ;

Bill was then read a third time and passed.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 16, 1868. }

*Mr. President :*

The House has passed Senate bills as follows :

To incorporate the town of Scottsboro ;

To authorize the circuit court of Lowndes county and Choctaw county, to levy an additional tax ;

To declare Mary S. Glover, of Greene county, a free dealer ;

For the relief of W. C. Wood and Thos. B. Cottrel ;

In relation to appeals from justices courts and from circuit courts ;

For the relief of the minor heirs of M. A. Baldwin, deceased ;

For the more efficient execution of legal process ;

And amended and passed as therein shown,

Senate bills as follows :

To amend sections 3, 8 and 13 of an act in relation to chancery courts of Alabama ;

To suppress murder, lynching and assaults and batteries, &c. ;

To declare void certain judgments and to grant new trials in certain cases ;

Also, originated and passed the following bills :

To amend an act to extend the time in which to open judgments and grant new trials in certain cases ;

To authorize the judge of probate of Greene county to render judgments in certain cases ;

To amend section 2339 of the Code ;

To prevent the killing of game in certain seasons in the counties of Wilcox and Randolph ;

To amend section 4 of an act approved February 23d, 1860, entitled an act to carry into effect an act of Congress approved 22d of June, 1854, authorizing the selection of lands in lieu of 16th section within the twelve miles square reservation in the State of Alabama ;

Also, originated and adopted joint resolutions in relation to appointing a joint committee to visit certain deaf, dumb, blind and insane asylums in this State ;

A bill, to make it the duty of the Auditor to issue warrants in certain cases.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Whitney, from the committee on enrolled bills, reported as follows :

Your committee on enrolled bills, to whom was referred bills of the following titles, have examined the same, and find them correctly enrolled :

Joint resolution to regulate the State House and the public property connected therewith ;

For the relief of W. C. Wood, of Pike county, and T. B. Cottrel, of Covington county ;

For the relief of the poor of this State ;

For the relief of John D. West, of Bullock county ;

To authorize the tax collector of the city of Demopolis to collect the taxes due said city ;

For the relief of Walter Ross and Wiley Ross, of the county of Lee ;

To change the name of Fannie Roby to Fannie Roby Jones ;

For the relief of H. A. Cooper, of Tuskaloosa county ;

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages ;

To change the jurisdiction of the city court of Mobile ;

To declare Joseph Lancaster, of Chambers county, a free dealer ;

Joint resolution in relation to joint committee on public institutions ;

For the relief of Isaac W. Sullivan of Elmore county.

CHAS. O. WHITNEY, Chairman.

Senate adjourned till 7 o'clock P. M.

#### NIGHT SESSION.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Foster, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—20.

Mr. Worthy, from the select committee on the resolution to expel Taliaferro Page, reported to the effect that the committee had considered the matter, but the evidence as to the larceny of shoes were so conflicting as to his guilt or innocence, that the committee report back the resolution and ask to be discharged.

Committee was discharged, and resolution laid on the table.

Mr. Whitney offered the following resolution,

Which was lost :

*Resolved*, That the committee on internal improvements be instructed to return forthwith to the Senate, a bill to be entitled "An act to develop the agricultural and mineral resources of Alabama."

Senate concurred in the House amendment to the Senate bill—

To amend an act to amend sections 3, 8 and 13 of an act in relation to chancery courts in Alabama.

House bills—

To authorize the judge of probate of Greene county to render judgments in certain cases ;

To provide fuel for the county jail of Madison county ;

To permit R. J. Wood, a non-resident, to administer upon the estate of his father, deceased ;

Were severally read three times and passed.

House bills—

To authorize the court of county commissioners of Clay county to cause to be levied special tax for certain purposes therein named ;

To confer additional powers upon the commissioners of Mobile county ;



Requiring clerks of circuit courts, registers in chancery and judges of probate to endorse the names of attorneys on executions ;

Were severally read three times and passed.

House bill—

To change the county boundaries between Crenshaw and Covington counties ;

Was read three times and passed—yeas 20, nays 1.

Those who voted in the affirmative are, Messrs. Buckley, Foster, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mabry, Mahan, Martin, Morton, Pennington, Royal, Sibley, Whitney, Wise, Worthy and Wyman—20.

Mr. Barr voted in the negative—1.

House bill—

To authorize the probate judge of Elmore county to issue search warrants ;

Was read twice and laid on the table.

House bills—

To appoint administrators in certain cases ;

To legalize certain ordinances ;

Were severally read a second time and referred to the judiciary committee.

House bill—

To protect elected and appointed officers of the State of Alabama ;

Was read a second time ;

On motion of Mr. Worthy,

The bill was amended by striking out “intimidation,” and inserting in lieu thereof, the words, “threats of violence.”

Bill as amended, was read third time and passed.

Mr. Yordy, from the select committee, reported favorably, with amendments, to the House bill—

To amend the charter of the New Orleans and Selma Railroad company.

The first amendment was adopted

The second amendment was laid on the table.

On motion of Mr. Stow,

Section two was amended by striking out the words, “or otherwise,” after “grant;”

Which, on motion of Mr. Bromberg, was laid on the table.

On motion of Mr. Pennington,

The word “or” was inserted between “gift” and “grant.”

Mr. Oliver moved to strike out all of the bill that relates to “immigration association” ;

Which motion, on motion of Mr. Whitney, was laid on the table.

Mr. Worthy moved to amend section three, by striking out the words: "to issue bonds, notes or other obligations."

Mr. Buckley moved to lay the bill on the table, and print 150 copies.

Which motion, on motion of Mr. Whitney,

Was laid on the table.

On motion of Mr. Whitney, Mr. Worthy's motion was laid on the table—yeas 15, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Foster, Glass, Hays, Johnston, King, Mabry, Martin, Pennington, Richards, Sibley, Whitney and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, McAfee, Oliver, Royal, Sanford, Sevier, Stow, Wise and Worthy—11.

Mr. Worthy moved to strike out the words, "race, color or previous condition ;"

Which motion was carried ;

Mr. Farden moved to order the bill to a third reading on to-morrow, and also called the previous question ;

Which last motion was sustained ;

Bill was ordered to a third reading.

House bill—

To amend the charter of the Alabama Mutual Life Insurance company of Selma ;

Was read and referred to the committee on banks and banking.

House bill—

To make Mrs. Rachel Marks, wife of Jacob Marks, of Montgomery county, a free-dealer ;

Was read twice ;

On motion of Mr. Whitney, the bill was amended, by adding Mrs. Cornelia F. Martin, wife of W. B. Martin, of Jackson county ;

As amended; the bill was read a third time and passed.

House bill—

To make Hardenia Robinson, wife of E. P. Robinson of Autauga county, a free-dealer ;

Was read a second time ;

Mr. Yordy offered an amendment ;

Which was laid on the table ;

Bill was then read a third time and passed.

House bill—

To authorize the commissioners court of Dallas county to issue bonds ;

Was read a second time and ordered to a third reading.

Mr. King, gave notice that he would move to reconsider the vote by which the Senate passed the House bill, to make it the duty of the auditor to issue warrants in certain cases.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, December 17, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert, of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Jones, King, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sibley, Whitney and Yordy—22.

Journal of yesterday was read and approved.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Sevier, to repeal an act for the protection of bona fide purchasers for a valuable consideration ;

Which bill was read and ordered to a second reading.

By Mr. McAfee, to declare a certain act a larceny, and to define the punishment of the same.

By Mr. Pennington, to amend section 3016 of the Revised Code ;

By Mr. Farden, to amend the judgments, orders, decrees, &c., issued from the courts of this State from January 11 1861, to the 25th May, 1868 ;

By Mr. Stow, to relieve William D. Calloway, of Montgomery county of the disabilities of minority ;

For the relief of Martha Freney, wife of Dr. James Freney, of Mount Meigs, Montgomery county ;

To authorize the probate court of Montgomery county to issue letters of administration on the estate of Calvin Reynolds, deceased, late of Bullock county ;

By Mr. Buckley, to prevent hunting on cultivated lands and enclosed fields ;

By Mr. Hays, for the relief of Mary Goings ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Sibley, for the relief of Reddick Garrison of Winston county ;

Which bill was read three times and passed—yeas 19, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Glass, Johnston, Jones, King, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Richards, Royal, Sevier, Sibley, Whitney and Wise—19.

Those who voted in the negative are, Messrs. Foster, Lambert, McAfee, Sanford, Stow and Yordy—6.

By Mr. Pennington, to secure to every one liable now or hereafter, to pay money in any form except duties on imports levied by Congress, the right to pay the same in legal tender notes of the United States ;

Which bill was read twice and referred to the judiciary committee.

By Mr. Lambert, to secure an election in the county of Franklin, for purpose of determining a site for the court house of said county ;

By Mr. Pennington, to form and establish a new county to be called " Grant ;"

To change the boundary line between the counties of Butler and Crenshaw ;

To change the boundry line between the counties of Bullock and Montgomery ;

To change the boundary line between the counties of Bullock and Barbour ;

To change the boundary line between the counties of Macon and Bullock ;

To change the boundary line between the counties of Talapoosa and Macon ;

To change the boundary line between the counties of Lowndes and Montgomery ;

By Mr. Farden, to confer additional powers on the town authorities of Prattville ;

By Mr. Jones, to authorize the commissioners court of Washington county to locate the county site of said county ;

Which bills were severally read twice and referred to the committee on municipal and county organizations.

By Mr. Pennington, to incorporate the East Alabama Life Insurance Company ;

Which bill was read twice and referred to the committee on banks and insurance.

By Mr. Pennington, to aid the Montgomery and West Point Railroad ;

Which bill was read twice and referred to the committee on internal improvements.

By Mr. Martin, to change the boundary line between the counties of Russell and Barbour ;

Which bill was read three times and passed—yeas 25, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds Johnston, Jones, King, Mabry, Mahan, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Stow, Whitney, Wise and Yordy—25.

By Mr. Oliver, to amend the caption and the first, second and third sections of an act entitled “An act to incorporate the Pioneer Petroleum Company ;”

Which bill was read twice and referred to the committee on municipal and county organizations.

By Mr. Mabry, to incorporate the Phoenix Fire Company No. 2, of Eufaula ;

Which bill was read three times and passed.

By Mr. Yordy, a petition of Thomas S. Rhyners, late tax collector of Sumpter county ;

Which petition was referred to the committee on grievances and disabilities.

By Mr. Foster, for the relief of the secretary of the Senate and the clerk of the House of Representatives ;

Which bill was read twice.

On motion of Mr. Farden, the bill was amended by striking out all relating to the “clerk of the House of Representatives ;”

As amended, the bill was read a third time and passed—yeas 22, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, King, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Sanford, Sevier, Sibley, Wise, Worthy and Yordy—22.

By Mr. Barr, to incorporate the town of Montrose in Baldwin county ;

Which bill was read three times and passed.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported favorably, with amendments, to the bill for the protection of plan-

tations and cultivated lands from depredations of stock in Lowndes county ;

Which amendment was adopted, and the bill read a third time and passed—yeas 20, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Jones, Lambert, Mahan, McAfee, Morton, Pennington, Richards, Sanford, Sevier, Sibley, Stow, Whitney, Worthy and Yordy—20.

Those who voted in the negative are, Messrs. King, Mabry, Oliver, Royal and Wise—5.

House bill—

To repeal an act to regulate the fees of jurors and witnesses of Franklin county ;

Was read three times and passed.

Leave of absence was granted to Mr. Stow for this day.

House bill—

To amend an act to incorporate the New Orleans and Selma railroad company ;

Mr. Barr called for the previous question ;

Which was sustained ;

The final vote on the bill was—yeas 18, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Farden, Foster, Glass, Hays, Hinds, Johnston, Jones, King, Mabry, Martin, Morton, Pennington, Royal, Sibley, Whitney and Wise—18.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mahan, McAfee, Oliver, Richards, Sanford, Sevier, Worthy and Yordy—10.

Mr. President declared the bill lost, as a two-thirds vote in its favor was required ;

Mr. Pennington appealed from the decision of the chair,

And the Senate refused to sustain the decision of the chair.

On motion of Mr. Hays, the "Cahaba river" bill was made special order for 11 o'clock to-morrow.

Mr. McAfee, from the select committee, reported favorably, with amendments, to the House bill—

To provide for hospital patients at Talladega ;

The first amendment was adopted—yeas 11, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Hinds, Lambert, McAfee, Martin, Morton, Sibley, Whitney, Wise and Yordy—11.

Those who voted in the negative are, Messrs. King, Mabry, Mahan, Oliver, Richards, Royal, Sanford and Worthy—8.

The amendment was adopted.

Mr. Worthy moved to lay the third amendment on the table ;

Which motion was lost, and the amendment was adopted. The fourth and fifth amendments were adopted ;

On motion of Mr. Bromberg, the bill was amended as follows :

“Section 8. Be it further enacted, That no patients shall be received in said hospital, in addition to those now therein;”

Mr. Bromberg offered the following amendment ;

Which, on motion, was laid on the table.

Section 9. Be it further enacted, That the board of trustees of said hospital shall have power and are hereby authorized, to apprentice and bind out all minors in said hospital, above the age of seven years, with the consent of the parents, when there are any ;

Mr. Worthy moved to amend as follows ;

Which was laid on the table :

Provided, That the provisions of this bill shall be applicable to the poor houses of the county of Pike ; and that the said poor houses of Pike county shall be a public charge against the State, and all incidental expenses thereto pertaining, (pursuant to this act) shall enure to the said poor houses of said Pike county ;

Bill as amended, was read a third time and passed—yeas 21, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Foster, Glass, Hays, Hinds, Lambert, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Whitney, Wise and Yordy—21.

Those who voted in the negative are, Messrs. King, Mabry, Mahan, Oliver and Worthy—5.

#### MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

To change the jurisdiction of the city court of Mobile ;

An act to continue to the Western railroad company the benefits of an act directing the delivery to the Western railroad company, of a certain bond given by the Alabama and Mississippi Rivers railroad company, to the State of Alabama, for a part of the two per cent. fund ;

An act to declare valid certain judgments, and to grant new trials in certain cases therein named.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 17, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To revive and amend an act to loan and appropriate the three per cent fund and its interest, approved 8th February, 1860 ;

Also, originated and adopted a joint resolution in relation to taking a recess.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

Mr. Lambert introduced joint resolution proposing that the General Assembly adjourn *sine die* on Saturday, the 19th instant, at 2 p. m.

Pending its consideration,

Senate adjourned till 7 p. m.

#### NIGHT SESSION.

Senate met pursuant to adjournment.

On call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—22.

Mr. Sibley introduced a bill—

Supplementary to an act to provide for hospital patients at Talladega ;

Which was read and ordered to a second reading.

Mr. King called up his motion to reconsider the vote by which the Senate passed the House bill—

To make it the duty of the auditor to issue warrants in certain cases.



Mr. Foster moved to lay said motion on the table; which motion was lost.

The vote to reconsider was then carried.

Mr. Richards moved to indefinitely postpone the bill.

On motion of Mr. Pennington, the bill was laid on the table.

Mr. Pennington offered joint resolution—

Proposing to raise a joint committee to ascertain if frauds have been practiced, or attempted to be practiced, on the auditor, by members, officers, or attaches of the General Assembly, &c.;

Which was adopted.

On motion of Mr. Lambert,

The House bill—

Supplementary to an act fixing the time of meeting of the General Assembly,

Was taken from the table.

On motion of Mr. Pennington,

The bill was again laid on the table.

House bill—

To repeal an act to restrict taxation in the town of Greenville,

Was read three times forthwith and passed.

Mr. Pennington, from the select committee, reported favorably to the bill—

For the relief of McClung & Jacques.

Mr. Richards moved the indefinite postponement of the bill, and called the previous question,

Which call was sustained.

Bill was indefinitely postponed—yeas 17, nays 10.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, King, Lambert, Mahan, McAfee, Oliver, Richards, Royal, Sanford, Sevier, Sibley, Stow, Wise, Worthy and Yordy—17.

Those who voted in the negative are, Messrs. Barr, Foster, Glass, Johnston, Jones, Mabry, Martin, Pennington and Whitney.

Message from the House, as follows:

HOUSE OF REPRESENTATIVES, }  
December 17, 1868. }

*Mr. President:*

I am directed by the House to inform the Senate of its having passed Senate bill—

To regulate and pay the debt of Wilcox county, with an amendment.

The House has amended and passed, as therein shown, Senate bill—

For the relief of the Secretary of the Senate.

Respectfully,

WM. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
December 17, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having concurred in Senate amendment to a bill of the following title :

To amend an act to incorporate the New Orleans and Selma Railroad company.

WM. B. CLOUD, Clerk.

Senate adjourned till 10 o'clock, to-morrow morning.

FRIDAY, December 18, 1868.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Journal of yesterday was read and approved.

On the call of the roll, the following Senators answered to their names :

Messrs. Buckley, Farden, Foster, Glass, Hays, King, Lambert, Mabry, McAfee, Martin, Oliver, Richards, Sanford, Sevier, Sibley, Stow, and Yordy—18.

Mr. Jones, from the committee on municipal and county organizations, reported favorably to the bill—

To authorize the commissioners court of Washington county to locate the site of court house of said county ;

Which bill was read a third time and passed.

House joint resolution to take a recess, was taken up.

Mr. Pennington moved to amend so as to adjourn *sine die* on the 24th instant.

Mr. Sanford moved to amend so as to take a recess from the 23d inst., till 11th January, 1869.

Mr. Farden moved to lay the whole subject on the table ;  
Which motion was lost—yeas 2, nays 26.

Those who voted in the affirmative are, Messrs. Farden and Oliver—2.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy and Yordy—26.

On motion of Mr. Pennington, Mr. Sanford's amendment was laid on the table.

Mr. Pennington's amendment was adopted—yeas 22, nays 5.

Those who voted in the affirmative are, Messrs Barr, Bromberg, Buckley, Farden, Foster, Hinds, Johnston, King, Lambert, Mabry, McAfee, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Stow, Whitney, Wise, Worthy and Yordy—22.

Those who voted in the negative are, Messrs. Glass, Hays, Mahan, Richards and Sibley—5.

Joint resolution was adopted.

Senate reconsidered the vote by which the bill was lost.

To aid in the improvement and opening of the Cahaba river to navigation ;

On motion of Mr. Worthy, the bill was recommitted to the committee on internal improvements.

Mr. Barr, from the committee on fees and salaries, reported favorably to the bill,

To provide compensation for copying the journals of the General Assembly, &c. ;

Which bill was read a third time and passed—yeas 20, nays 0.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hays, Jones, King, Lambert, Mabry, Mahan, McAfee, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Whitney, Worthy and Yordy—20.

Also, from the same committee, reported favorably to the bill,

To enable certain officers to collect their fees.

On motion of Mr. Sanford, the bill was indefinitely postponed—yeas 14, nays 10.

Those who voted in the affirmative are, Messrs. Hays, Jones, Lambert, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Royal, Sanford, Sevier, Stow and Worthy—14.

Those who voted in the negative are, Messrs. Barr, Bromberg, Farden, Glass, King, Mabry, Richards, Sibley, Whitney and Yordy—10.

Also, from the same committee, reported favorably to the bill,

To provide adequate compensation for the clerk of the supreme court ;

Which bill, on motion of Mr. Sanford, was laid on the table.

Mr. Bromberg offered a joint resolution providing for a joint committee of five to take into consideration the subject of adjournment ;

Which was adopted and Messrs. Bromberg and Stow were appointed the select committee.

House joint resolution for a joint committee on adjournment was laid on the table.

#### REPORTS OF STANDING COMMITTEES.

Mr. McAfee, from the judiciary committee, reported adversely to the bills :

To repeal section 4096 of the Revised Code ;

To repeal sections 2876 and 2877 of the Revised Code ;

For the relief of sheriffs, clerks of circuit courts and judges of probate ;

To require the Governor to issue his proclamation, requiring the sheriff of Russell county to cause the records of said county to be removed to Girard ;

Which reports were severally concurred in.

Also, from the same committee, reported favorably to the bill,

To repeal section 2 of Ordinance No. 5, adopted September 21st, 1865 ;

Which bill was read a third time and passed—yeas 17, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Lambert, Mahan, McAfee, Martin, Pennington, Richards, Royal, Sanford, Sibley and Stow—17.

Those who voted in the negative are, Messrs. King, Mabry, Morton, Oliver, Sevier, Worthly and Yordy—7.

Also, from the same committee, reported favorably to the bill,

For the protection of sheriffs and others ;

Which bill was read a third time and passed.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bill,

To repeal an act to authorize persons to keep skiffs or other water crafts therein named to carry foot passengers across

the Black Warrior River, opposite the city of Tuscaloosa ;  
Which bill was read a third time and passed.

Also, from the same committee, reported favorably to the bill,

To make Mary Hollingsworth a free dealer ;

Bill was amended so as to include Rebecca Franklin, wife of Lewis Franklin, of Montgomery county ; Mrs. Elizabeth Ann Morgan, of Barbour county ; Martha Ann Duke and Arraney Page, of Washington county, and Rebecca Franklin, of Clarke county.

Mr. Whitney moved to amend as follows :

And all other women in the State, provided it is the desire of both husband and wife, and the husband shall file his consent with the probate judge of the county in which he resides ;

Which amendment, on motion of Mr. Lambert, was laid on the table.

Mr. Whitney moved to lay the bill on the table ;

Which motion was lost.

Mr. Hays moved to amend, as follows :

By adding to the bill all other women who may wish to become free dealers by the consent of their husbands, upon application to the register in chancery in their respective counties ;

Which amendment, on motion of Mr. Worthy, was laid on the table.

Bill was ordered to a third reading.

On motion of Mr. Pennington, the bill,

To authorize the counties, cities and towns to subscribe to the capital stock of railroad companies ;

Was made special order for 10 o'clock to-morrow.

Messages were received from the House, as follows :

HALL OF THE HOUSE OF REPRESENTATIVES, }  
December 18, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

For the relief of James M. Moragne ;

To extend the time for the collection of taxes in the county of Lowndes ;

To authorize the commissioners court of Cleburne county to levy a special tax ;

To regulate the carriage of passengers by street railroad

corporations within the limits of municipal corporations of this State ;

Also, adopted the following Senate joint resolutions :

In relation to the improvement of the Tennessee river ;

To investigate the present condition of the two per cent. und.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
December 18, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having originated and adopted a joint resolution—

To appoint a joint committee to enquire at what time the General Assembly can adjourn.

The House has amended the Senate amendment to House resolution in relation to taking a recess ;

And has concurred in Senate joint resolution in relation to appointing cocommittee of conference—House committee, Messrs. Gregory, Burton and Chisholm.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

Senate adjourned till 10 o'clock to-morrow morning.

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SATURDAY, December 19, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richards of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Farden, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, Martin, Oliver, Royal, Sanford, Sevier, Sibley, Stow, Wyman and Yordy—21.

Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Foster ;

And also, to Mr. Royal till Tuesday next.

Mr. McAfee introduced a bill—

To amend an act entitled "An act to amend and enlarge the chartered powers of the town of Talladega, and to define the

same with greater certainty," approved January 12, 1854 ;  
Which was read three times and passed.

Mr. Bromberg, from the joint select committee on adjournment, reported sundry resolutions.

Mr. Hays moved to lay said resolutions on the table ;

Which motion was lost—yeas 8, nays 17 ;

Those who voted in the affirmative are, Messrs. Hays, Johnston, Jones, Lambert, Mahan, Richards, Royal and Sevier—8.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Hinds, Mabry, McAfee, Martin, Morton, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—17.

Joint resolutions were then read and adopted ;

Yeas 20, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Foster, Glass, Johnston, King, Mabry, Mahan, McAfee, Martin, Morton, Pennington, Sanford, Sevier, Sibley, Stow, Whitney, Wise, Worthy and Yordy—20.

Those who voted in the negative are, Messrs. Buckley, Hays, Hinds, King, Lambert, Oliver and Richards—7.

Leave of absence was granted to Mr. Lambert till Saturday next ;

Also, to Mr. Buckley for next week ;

Also, to Mr. King.

Special order came up, it being the substitute of the committee, and entitled a bill—

To authorize the several counties, towns and cities of the State of Alabama to subscribe to the capital stock of such railroads throughout the State, as they may consider most conducive to their respective interests ;

Which substitute was adopted.

Mr. Bromberg offered an additional section No. 16.

Mr. Pennington moved to lay said section on the table ;

Which motion was lost.

Mr. Bromberg's amendment was adopted.

Mr. Mabry offered the following amendment,

Which was adopted :

Provided, that the provisions of this act shall not apply to aid navigation companies in opening and improving the navigation of rivers in this State ; and provided, further, that cities and towns receiving the benefit of trade from such rivers shall be allowed to aid in the opening and improving the same.

Mr. Bromberg offered additional section No. 17 ;

Which was adopted—yeas 13, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Hinds, Johnston, Jones, Mahan, McAfee, Oliver, Sevier, Sibley, Worthy and Yordy—13.

Those who voted in the negative are, Messrs. Farden, Glass, Lambert, Mabry, Martin, Morton, Pennington, Sanford, Whitney and Wise—10.

Said vote was reconsidered, and the amendment laid on the table.

On motion of Mr. Lambert, Section 7 was amended by striking out "2 per cent.," and inserting "1 per cent."

Mr. Sevier moved to except the county of Franklin from the provisions of this act.

Mr. Wise moved to amend by striking out "a majority" and by inserting "two-thirds;"

Which was lost—yeas 11, nays 15.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, King, Lambert, McAfee, Martin, Oliver, Richards, Sanford, Sevier and Wise—11.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Johnston, Mabry, Mahan, Morton, Pennington, Sibley, Stow, Whitney Worthy and Yordy—15.

Bill was read a third time and passed—yeas 19, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Hays, Johnston, Lambert, Mabry, Martin, Morton, Pennington, Richards, Sevier, Sibley, Stow, Whitney, Wise Worthy and Yordy—19.

Those who voted in the negative are, Messrs. Bromberg, Buckley, King, Mahan, McAfee, Oliver and Sanford—7.

Senate took up the resolutions relating to adjournment as amended by the House, and refused to recede from its action—yeas 9, nays 17.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Hinds, King, Lambert, Mabry, McAfee. Worthy and Yordy—9.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Johnston, Mahan, Martin, Morton, Oliver, Pennington, Richards, Sanford, Sevier, Sibley, Stow, Whitney and Wise—17.

Mr. Farden offered the following resolution :

*Resolved by the Senate*, (the House concurring,) that a committee of conference, two to be appointed by the president of the Senate, and three by the speaker of the House, to take into consideration the question of adjournment and report at once ;

Mr. Worthy offered the following substitute :



*Resolved*, That the two houses of the General Assembly cannot agree as to the time of adjourning the same ;

*Resolved*, That this Senate certify this fact to His Excellency, William H. Smith, Governor of the State, and respectfully ask for the interposition of his constitutional powers in the premises ;

Which substitute, on motion of Mr. Whitney, was laid on the table ;

Mr. Richards offered the following substitute ;

Which was adopted :

*Resolved*, That the two houses of this General Assembly adjourn *sine die* on the 31st instant.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 19, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following bills :

To be entitled an act to amend an act to incorporate the New Orleans and Selma Railroad Company.

The House has amended as therein shown, and adopted the joint resolution in relation to adjournment.

The House has originated and passed the following joint resolution :

For the relief of E. F. Jennings, W. R. Chisholm, G. W. Malone, G. F. McAfee, J. DeF. Richards and H. G. Thomas ;

To provide for the creation and regulation of railroad companies in the State of Alabama ;

And to compel Samuel M. Stinson, late tax collector of Colbert county, to make settlement with the commissioners court of Franklin county.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 7 p. m.

#### NIGHT SESSION.

Senate met pursuant to adjournment.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Farden, Glass, Hays, Hinds, Johnston, Lambert, Mahan, Morton, Oliver, Pennington, San-

ford, Sevier, Sibley, Stow, Wise, Worthy, and Yordy—19.  
House bill—

To provide for the creation and regulation of railroad companies in the State of Alabama ;

Was read twice.

Mr. Sanford moved to amend section 10, as follows :

“Not to exceed 100 feet on each side of the road”;

Which amendment was lost ;

Which was then read three times and passed.

House bills—

To make Catharine Hoover, of Jefferson county, a free-dealer ;

To make Lucy Freeman, of Coosa county, a free-dealer ;

To make Georgia Ann V. Robinson, a free-dealer ;

To legalize the marriage between Richard Cruch and Georgia Ann Cleghorn ;

To make Elizabeth James a free-dealer ;

Were severally read a third time and passed.

House bill—

To relieve Fernando B. Poe of disabilities of minority ;

Was read a second time and laid on the table.

House bill—

For the relief William Stringer of Morgan county ;

Was read a second and third time and passed—yeas 13, nays 7.

Those who voted in the affirmative are, Messrs. Glass, Hays, Hinds, Johnston, King, Lambert, Morton, Oliver, Pennington, Richards, Sanford, Sevier and Whitney—13.

Those who voted in the negative are, Messrs. Bromberg, Mahan, Martin, Sibley, Wise, Worthy and Yordy—7.

House bill—

To amend an act to loan and appropriate the 3 per cent fund and its interest, &c. ;

Was read and laid on the table.

Mr. Bromberg moved to reconsider said vote ;

Which motion, on motion of Mr. Sibley was laid on the table.

The Senate adjourned till 10. o'clock Monday morning.

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MONDAY, December 21, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev Mr. Miller of the Board of Education.

On the call of the roll, the following senators answered to their names:

Messrs. Barr, Bromberg, Farden, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Sanford, Sibley, Stow, Wise and Yordy—22.

Journal of Saturday was read and approved.

House bill—

To revise and amend “An act to loan and appropriate the 3 per cent fund and its interest,” approved Feb. 18, 1860,

Was taken from the table.

Mr. McAfee moved to indefinitely postpone the bill;

Mr. Lambert called the previous question, which was sustained.

Bill was indefinitely postponed—yeas 18, nays 5.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, Hays, Hinds, Johnston, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Richards, Sanford, Sibley, Worthy and Yordy—18.

Those who voted in the negative are, Messrs. Barr, Jones, Stow, Whitney and Wise—5.

Mr. Pennington was excused from voting.

Mr. Worthy moved to reconsider said lost vote;

Which motion, on motion of Mr. Hinds, was laid on the table.

House bill—

Supplementary to and amendatory of an act to amend an act to incorporate the New Orleans and Selma Railroad Company, passed at the present session of the General Assembly, and now in the hands of the Governor;

Was read twice.

Mr. Hays offered the following amendment;

Amend section 1 as follows:

Strike out all after the word “provided” in the fourth line from the last line, and insert the words:

“That all lands owned or hereafter owned by said company in this State, by gift or grant, or held by said company for purpose of or aid of immigration, except improved lands and city property, shall be and are hereby declared to be exempt from taxation so long as they are held or owned by said company, and for five years after the sale of such lands to immigrants; and that not more than 160 acres of said lands shall be sold to each immigrant;

Mr. Yordy offered the following substitute;

Which was lost—yeas 9, nays 13.

Amend by striking out all after the word "provided" and insert the following: That the provisions of said act shall not apply to any lands or property now subject to taxation.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, McAfee, Oliver, Richards, Sanford, Stow, Worthy and Yordy—9.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Johnston, Jones, Mabry, Mahan, Morton, Pennington, Sibley, Whitney and Wise—13.

Mr. Worthy moved to amend by adding after the word "immigration,"

"Or for other purposes ;"

Which amendment, on motion of Mr. Hays, was laid on the table.

Mr. Yordy moved to amend as follows :

Strike out "improved lands and city property," and insert "land and property now subject to taxation ;"

Which amendment, on motion of Mr. Hays, was laid on the table.

Mr. Worthy moved to indefinitely postpone the bill, which motion was lost.

Mr. Worthy moved to lay Mr. Hays' amendment on the table, which motion was lost—yeas 9, nays 15.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Mahan, McAfee, Oliver, Sanford, Stow, Worthy and Yordy—9.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Johnston, Jones, Mabry, Martin, Morton, Pennington, Richards, Sibley, Whitney and Wise—15.

Mr. Hays' amendment was adopted ;

Yeas 15, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Johnston, Jones, Mabry, Martin, Morton, Pennington, Richards, Sibley and Wise—15.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Mahan, McAfee, Oliver, Sanford, Stow, Worthy and Yordy—9.

Bill was ordered to a third reading.

#### CALL OF THE DISTRICTS.

On the call of the districts, the following bills, &c., were introduced :

By Mr. Sibley, to authorize religious societies to provide

security by deed of trust or mortgage for the payment of debts ;

Which bill was read twice and referred to a select committee, composed of Messrs. Richards, Sibley and McAfee.

By Mr. Sibley, to provide for the payment of tales jurors in certain cases ;

To amend section 4332 of the Revised Code ;

By Mr. Morton, to regulate the proceedings of the court of county commissioners of Tuskaloosa county ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Whitney, for the relief of Henry L. Taylor, late marshal of the supreme court and State librarian ;

Which bill was read twice and referred to the committee on fees and salaries.

By Mr. Oliver, to regulate the per diem pay of the members of the General Assembly ;

Which bill was read twice.

On motion of Mr. Pennington, the bill was indefinitely postponed.

By Mr. McAfee, to allow compensation to attorneys who are assigned as counsel to defend pauper criminals ;

Which bill was read twice.

On motion of Mr. Barr, the bill was laid on the table—yeas 12, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Glass, Hays, Hinds, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Sanford and Sibley—12.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Farden, McAfee, Stow, Worthy and Yordy—7.

By Mr. Pennington, to authorize the retailing of spirituous liquors in Tallapoosa county ;

Which bill was read twice and referred to the committee on grievances and disabilities.

By Mr. Pennington, to make Allen Kimble, of Lee county, a citizen of Tallapoosa county ;

Which bill was read twice and referred to the committee on municipal and county organizations.

By Mr. Pennington, joint resolutions relating to the acquisition of West Florida ;

Which were read three times and passed.

Leave of absence was granted to Mr. Sevier for the balance of the session.

**Message from the Governor as follows :**

*Mr. President :*

The Governor has approved and signed bills which originated in the Senate, to be entitled as follows :

An act to change the name of Fannie Roby to Fannie Roby Jones ;

An act for the relief of John D. West ;

An act for the relief of Albin Cooper, of Tuskaloosa county ;

An act to authorize the tax collector of the city of Demopolis to collect the taxes of said city ;

An act for the relief of Walter Ross and Wiley Ross, of the county of Lee ;

An act for the relief of W. C. Wood, of Pike county, and Thomas P. Cottle, of Covington county.

Very respectfully,

D. L. DALTON, private secretary.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 21, 1868. }

*Mr. President :*

The House has passed Senate bills as follows :

To amend an act entitled an act to amend and enlarge the chartered powers of the corporation of the town of Talladega, and to define the same with greater certainty, approved January 12th, 1864.

The House has adopted the following Senate joint resolution in relation to adjournment,

And of its having concurred in Senate amendments to House bill, entitled as follows :

A bill to form a new county to be called the county of Geneva.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 7 o'clock, P. M.

#### NIGHT SESSION.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names :

the Messrs. Barr, Bromberg, Farden, Glass, Hays, Johnston,

Mabry, Mahan, Martin, Morton, Richards, Sanford, Sibley, Stow, Whitney, Wise and Yordy—17.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills, &c., were introduced :

By Mr. Martin, to legalize an election held in the county of Russell, on the 4th, 5th, 6th, 7th and 8th of February, 1868.

By Mr. Worthy, to incorporate the trustees of Spring Hill Baptist church and Spring Hill academy, in Pike county.

By Mr. Whitney, to allow John Whitfield, of Jackson county, to take one-sixth toll for grinding corn.

Which bills were severally read three times and passed.

By Mr. Martin, for the relief of debtors who have renewed old paper ;

By Mr. Hays, to repeal the charter of the Mobile Trade company ;

To regulate charges for transportation of freight and passengers on railroads in this State ;

By Mr. Yordy, to provide for the apprenticing of minors, and defining the relative duties of master and apprentice ;

By Mr. Barr, to amend section 1986 of the Revised Code ;

By Mr. Richards, in relation to the appointment of receivers ;

To authorize appeals from final decisions of chancery and circuit courts ;

By Mr. Worthy, to repeal section 2281 and 2283 of the Revised Code ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Farden, to aid the Montgomery and West Point railroad ;

Which bill was read twice ;

Mr. Hays moved to indefinitely postpone the bill and called the previous question ;

Which call was sustained ;

Senate refused to indefinitely postpone the bill—yeas 11, nays 12.

Those who voted in the affirmative are, Messrs. Bromberg, Hays, Lambert, Mahan, McAfee, Morton, Oliver, Sanford, Wise, Worthy and Yordy—11.

Those who voted in the negative are, Messrs. Barr, Buck-

Iey, Farden, Glass, Hinds, Johnson, Mabry, Martin, Richards, Sibley, Stow and Whitney--12.

Mr. Richards moved to refer the bill to the committee on internal improvements;

On motion of Mr. Whitney, the bill was laid on the table.

By Mr. Hays, to establish the Mobile charitable association for the benefit of common school fund of Mobile county;

Which was read, and on motion of Mr. Richards, indefinitely postponed.

By Mr. Bromberg, to allow compensation to counsel assigned to defend persons who are unable to employ counsel, in the city court of Mobile, and in Greene and Pickens counties;

Which bill was read twice;

Mr. Barr, moved to amend, as follows:

Amend by additional section, that whenever satisfactory evidence is brought to the knowledge of the judge of the city court of Mobile, that any party is unable to pay medical attendance, the city court judge must assign a medical attendant, who shall be paid out of any money in the treasury;

Which amendment, on motion of Mr. Bromberg, was laid on the table.

Mr. Foster moved to amend as follows:

That when any person shall be out of food, the city shall pay for the same.

Which amendment, on motion of Mr. Bromberg, was laid on the table.

Bill was read a third time and passed.

By Mr. Worthy, to amend section 19 of an act to incorporate the Vicksburg and Brunswick Railroad company;

Which was read twice and referred to the committee on internal improvements.

Mr. Sanford, from the committee on municipal and county organizations, reported favorably to the bill—

To amend the caption and the 1st, 2d and 3d sections of an act to incorporate the Pioneer Petroleum Company;

Which bill was read a third time and passed.

House bills to amend section 4063 of the Revised Code;

To repeal section 4063 of the Revised Code;

Which bills were read twice and referred to the judiciary committee.

House bill to fix the time for holding an election for members of the 41st Congress;

Was read three times and passed.



Mr. Whitney offered the following resolution, which was adopted :

*Resolved*, That the State Printers be required to furnish each member of the Senate with a copy of the pamphlet acts of this General Assembly, of the July, called and present sessions, as far as they are printed.

Senate adjourned till 10 o'clock to-morrow morning.

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TUESDAY, December 22, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Lambert, of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Foster, Glass, Hays, Hinds, Lambert, Mabry, Mahan, McAfee, Oliver, Royal, Sevier, Sibley, Stow, Whitney, Wise and Yordy—19.

Journal of yesterday was read and approved.

Mr. Stow, from the select committee, reported favorably to the bill—

To amend the Macon county railroad charter ;

Which bill was read a third time and passed.

House bill supplementary to and amendatory of an act to amend an act to incorporate the New Orleans and Selma Railroad company, &c. ;

Was read a third time and passed.

Mr. Sibley offered the following resolution,

Which was lost :

*Resolved*, That adverse reports of standing committees be postponed indefinitely.

Mr. Farden, from the committee on internal improvements, reported favorably to the bill—

To amend an act to incorporate the Alabama Mining and Manufacturing company.

On motion of Mr. Farden, Section 6 was amended by striking out the words, "one-half of one per cent. of all nett profits of said company," and by inserting the words, "such tax as is provided by law."

Bill as amended, was then read a third time and passed ;

Yeas 17, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Johnston, Jones, Mabry, Mahan, Martin, Morton, Pennington, Richards, Wise and Wyman—17.

Those who voted in the negative are, Messrs. Lambert, McAfee, Sanford, Worthy and Yordy—5.

Mr. Worthy introduced a bill—

For the relief of James Rhodes ;

Which bill was read three times and passed.

Mr. Farden, from the committee on internal improvements, reported favorably to the bill—

To amend an act to incorporate the Sepulgah River Manufacturing Company of Conecuh county ;

Which was read a third time and passed.

Also, from the same committee, reported favorably to the bill, to aid the Montgomery and West Point railroad ;

On motion of Mr. Pennington, the bill of the same title that was tabled last night, was taken from the table ;

Mr. Pennington offered it as a substitute ;

On motion of Mr. Farden, it was amended by appropriating \$10,000 per mile in lieu of \$16,000 per mile ;

Mr. Lambert moved to amend, as follows :

“That the provisions of this act shall extend to all the railroads and mills and blacksmith shops in the State of Alabama ;”

Which amendment, on motion of Mr. Worthy, was laid on the table ;

On motion of Mr. Bromberg, the bill was indefinitely postponed ;

On motion to reconsider the last vote was made, and said motion was laid on the table.

Mr. Farden, from the committee on internal improvements, reported favorably to the bill, to authorize the Governor to endorse the bonds of the Montgomery and Eufaula railroad company, under the act of February 19, 1867 ;

Which bill was recommitted to the judiciary committee ;

House joint resolution—

For the relief of E. F. Jennings, W. R. Chisholm, G. W. Malone, G. T. McAfee, J. De F. Richards and H. G. Thomas ;

Was read three times and passed.

Leave of absence was granted Mr. Mahan for the balance of the session.

Senate concurred in the amendment of the House to the Senate bill, for the relief of the secretary of the Senate.

House bill—

To secure mechanics and laborers liens ;

Was read twice ;

Mr. Worthy moved to amend as follows :

Provided, That suit may be brought against any railroad company in the county through which the railroad may run,

and when the labor has been performed, and summons and complaint shall be served upon any authorized agent of said railroad company, and shall be sufficient notice to the company of said suit ;

Which amendment was adopted ;

On motion of Mr. Whitney, the bill was amended, by striking out all after the word "realty," in third line of section 5 ;  
Bill and amendment was laid on the table.

Mr. McAfee, from the judiciary committee, reported favorably to the bill, to secure to every person liable now or hereafter, to pay money in any form except duties on imports laid by Congress, the right to pay the same in legal tender treasury notes of the United States ;

Mr. Bromberg moved to amend, as follows :

Be it further enacted, That all constitutional acts of congress are hereby believed to be legal and binding upon the citizens of this State ;

Which amendment, on motion of Mr. Hays, was laid on the table ;

Mr. Bromberg moved to lay the bill on the table ;

Which motion was lost—yeas 12, nays 13.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Hinds, Mabry, Mahan, McAfee, Martin, Oliver, Sibley, Wise, Worthy and Yordy—12.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Johnston, Jones, Morton, Pennington, Royal, Sanford, Stow, Whitney and Wyman—13.

Bill was ordered to a third reading.

Mr. Sanford offered the following resolution ;

Which was adopted :

*Resolved by the Senate*, That the Governor, His Excellency W. H. Smith, be requested to return to the Senate, a bill to be entitled "An act to authorize the Georgia Western railroad company to extend and construct their road from the Georgia line to the town of Gadsden, on the Coosa river."

Message from the Governor, returning the said bill as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has received an official copy of a resolution, requesting the return of a bill to be entitled "An act to authorize the Georgia Western railroad company to extend and construct their road from the Georgia line to the town of Gadsden, on the

Coosa river;" and that in compliance with the request contained in the said resolution, the bill referred to is herewith returned.

Very respectfully,  
Your obedient servant,  
D. L. DALTON, Secretary.

The several votes on the passage of said bill, and ordering it to a third reading, were reconsidered ;

On motion of Mr. Sanford, the bill was amended in 1st section, 4th line, by striking out all after the words "railroad," to the words "to the town of Gadsden," in the 5th line ;

And by striking out all of the 1st section after the words "in this State" in the 6th line ;

Bill as amended, was read a second and third times again, and passed.

Mr. McAfee, from the judiciary committee, reported a substitute for the bill, to establish the city court of Huntsville ;

Which substitute was adopted ;

And the bill read a third time and passed.

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
December 22, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate that it has passed Senate bills as follows :

For the protection of agricultural laborers ;

To incorporate the town of Eutaw, in Greene county ;

To authorize the Memphis and Charleston Railroad Company to construct branch roads by the increase of its capital stock ;

To repeal an act entitled an act to regulate the fees of jurors and witnesses of the county of Chambers ;

To authorize the Memphis and Charleston Railroad Company to issue bonds secured by mortgage for the construction of branch roads ;

To amend the charter of the Washington fire and marine insurance company of Mobile ;

To amend an act to consolidate and make joint stock of the Mobile and Great Northern Railroad Company and the Alabama and Florida Railroad Company of Alabama, and to change the name of said companies to the Mobile and Montgomery Railroad Company ;

To authorize the circuit court of Sumpter county to levy an additional tax for county purposes ;

To regulate the enclosure of stock in Greene county ;

To incorporate the town of Briar Hill, in Pike county ;

To authorize the circuit court of Lee county to borrow money to build a court house ;

To repeal an act to amend the first section of an act to incorporate the town of Bluffton, in the county of Chambers, and to amend the first section thereof ;

To authorize the circuit court of Perry county to assess special tax ;

To extend the time for the collection of taxes in Choctaw county ;

Also, adopted Senate joint resolutions in relation to the Auditor ;

And has originated and passed the following bills :

For the relief of George S. Lanier, of Butler county ;

A bill to be entitled an act to establish revenue laws for the State of Alabama ;

A bill to amend the charter of the Wetumpka Insurance Company ;

A bill to provide for the pay of the members and officers of the present General Assembly ;

A bill to abolish fencing in Lowndes county ;

The House instructs me to inform the Senate of its having originated and adopted a memorial and joint resolution as herewith transmitted.

Very respectfully,

W. B. CLOUD,  
Clerk of House.

Senate adjourned till 5 o'clock, P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment.

House bill—

To establish revenue laws for the State of Alabama ;

Was read twice and considered section by section ;

The first and second sections were adopted.

Mr. Barr moved to strike out of lien 14, section 3, the words "libraries of ministers of the gospel" and insert "all private libraries ;"

Which amendment was adopted.

Mr. Martin moved to amend 9th line of section 3, by inserting "real if they have not" after the word "personal ;"

Which amendment was lost—yeas 8, nays 15.

Those who voted in the affirmative are, Messrs. Farden, Glass, Lambert, Martin, Sanford, Sibley, Whitney and Worthy—8.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Hinds, Jones, Mabry, Mahan, McAfee, Morton, Oliver, Richards, Royal, Stow, Wyman and Yordy—15.

Mr. Barr moved to amend 10th line of section 3, so as to read "all insane, blind, deaf, dumb and idiotic persons ;"

Which amendment was adopted.

As amended, section 3 was adopted.

Section 4 and 5 were adopted.

Mr. Barr moved to amend section 6, in line 5, by substituting "twelve months old" for "six months old ;"

Which amendment was lost.

Mr. Barr moved to strike out line 13, of section 6 ;

Which motion was carried—yeas 13, nays 8.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hinds, Morton, Pennington, Richards, Royal, Sibley, Stow and Whitney—13.

Those who voted in the negative are, Messrs. Lambert, Mahan, McAfee, Morton, Oliver, Sanford, Wyman and Yordy—8.

On motion of Mr. Farden, line 23, of section 6, was stricken out ;

As amended, section 6 was adopted.

Sections 7, 8, 9 and 10 were also adopted.

Mr. Barr moved to amend section 11, in 2d line, by striking out "three-fourths" and inserting "one-half ;"

Pending its consideration,

Senate adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, December 23, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Foster, Hays, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington,

Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—21.

Journal of yesterday was read and approved.

Mr. Bromberg introduced a bill—

To prescribe the oath to certain officers ;

Which was read a second time.

Mr. Pennington moved to amend, as follows :

Provided, that the provisions of this act shall apply to the officers of all other municipal governments in this State.

Mr. Sibley moved to amend said amendment, as follows :

“The county of Madison excepted;”

Which amendments, on motion of Mr. Hays, were laid on on the table—yeas 15, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Buckley, Foster, Glass, Hays, Hinds, Johnston, King, Lambert, Martin, Morton, Pennington, Sanford, Whitney and Yordy—15.

Those who voted in the negative are, Messrs. Bromberg, Mabry, Mahan, McAfee, Oliver, Sevier, Sibley, Stow and Worthy—9.

On motion of Mr. Pennington,

The bill was laid on the table.

House bill—

Supplemental to an act to pay the members and officers of this General Assembly ;

Was read three times and passed.

House joint resolution—

For the appointment of a joint committee as to removal of political disabilities,

Was read.

On motion of Mr. Pennington,

His joint memorial on the same subject, was taken from the table, which he then proposed as a substitute.

Mr. Worthy moved to amend so that the committee shall have no compensation for their services ;

Which amendment was adopted.

Mr. Barr moved to amend, as follows :

“A committee of three on the part of the Senate and five on the part of the House;”

Which amendment, on motion of Mr. Pennington, was laid on the table.

Mr. Farden also moved to amend as follows :

“And any member of said committee may recommend, without a concurrence of the rest of the committee ;”

Mr. Pennington moved to amend said amendment as follows:

“That said committee consist of every member of the Legislature.”

Mr. Hays moved to lay said amendment to the amendment on the table:

Which motion was lost.

On motion of Mr. Worthy,

The joint resolution and amendments were laid on the table.

Mr. Hinds introduced a bill—

To change the seat of justice of Morgan county;

Which bill was read a third time and passed.

House bill—

For the relief of James P. Wood,

Was read a second time;

On motion of Mr. Sanford, section two was stricken out.

As amended, the bill was read a third time and passed.

Mr. Morton introduced a bill—

To permanently locate the court house of Lawrence county,

Which was read three times and passed.

House memorial and joint resolution—

For aid to the New Orleans and Selma Railroad;

Was read and adopted.

Senate reconsidered the vote concurring in the adverse report on the bill—

To grant new trials to Daniel Wadsworth, of Autauga county;

Bill was read a third time and passed.

Senate bill—

To secure to every person liable now, or hereafter, to pay money in any form, except duties on imports laid by Congress, the right to pay the same in legal tender treasury notes of the United States;

Was read a third time and lost—yeas 9, nays 12.

Those who voted in the affirmative are, Messrs. Buckley, Foster, Glass, Hays, Hinds, Johnston, Jones, Pennington and Wyman—9.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Royal, Sibley, Whitney, Wise and Yordy—12.

Mr. Hays introduced a bill to provide for carrying out article 11, section 11, of the Constitution;

Which was read three times and passed.

House bill—



To attach the county of Geneva to the 8th judicial circuit and the 4th district of the southern division ;

To allow the judge of the city court of Mobile to practice law in certain cases ;

Were severally read three times and passed.

Mr. Jones, from the select committee, reported a bill,

To make an appropriation for the publication and distribution of a geological and agricultural report of the resources of the State of Alabama ;

Which bill, on motion of Mr. Worthy, was indefinitely postponed.

Mr. Barr, from the select committee, reported favorably to the bill,

In relation to the great seal of the State ;

Which bill was read 3d time and passed—yeas 23, nays 0.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Royal, Sibley, Stow, Whitney, Wise, Worthy and Yordy—23.

House bills—

For the relief of officers of Covington county ;

To provide for holding a term of the chancery court in the 5th chancery district ;

To authorize the Secretary of State to issue a patent to William McDaniel of Morgan county, for certain lands ;

To amend section 3996 of the Revised Code ;

To repeal certain acts of incorporation ;

To repeal section 1 of a special act passed by the General Assembly in 1847 ;

To define the boundary line between the counties of Dallas and Perry ;

Which bills were severally read a third time and passed.

House bill—

To restrain the tax collector of Limestone county from collecting a certain tax ;

Was read a second time and ordered to a third reading.

House bills—

To regulate travel on street cars in the city of Mobile ;

To amend section 4053 of the Revised Code ;

To amend section 536 of the Revised Code ;

To amend section 2235 of the Revised Code ;

To relieve certain practicing attorneys at law and for other purposes ;

To protect the estates of minors and deceased persons ;

Concerning insolvent estates ;

Were severally read a second time and laid on the table.  
House bills—

To repeal sections 1237, 2680 and 4231 of the Revised Code ;

To construe section 1234 of the Revised Code ;

To amend section 2136 of the Revised Code ;

To repeal sections 3602 and 3603 of the Revised Code ;

Were severally read a second time and referred to the judiciary committee.

House bills—

To regulate vendor's liens ;

To authorize the probate courts to render decrees for the purchase money in certain cases ;

To protect fruits, vegetables and other crops from depredations and destruction ;

Were severally read a second time and postponed indefinitely.

House joint resolution—

In relation to appointing a joint committee to enquire what legislation is necessary to harmonize existing laws with the Constitution ;

Was read a second time.

On motion of Mr. Worthy, it was amended as follows :

“ Provided that said committee shall receive no additional compensation for the labor to be performed under this resolution ;”

Joint resolution was laid on the table.

House joint resolution—

In relation to appointing a joint committee to examine certain lands in the town of Talladega ;

Was read a second time.

On motion of Mr. McAfee, it was amended by substituting “ next ” for “ this ” before “ General Assembly ;”

On motion of Mr. Worthy, the joint resolution was indefinitely postponed.

House bill—

To prescribe the oath of office to certain officers ;

Was read a third time and passed.

Senate concurred in the amendment of House to the Senate bill ;

To regulate and pay the debts of Wilcox county ;

For the relief of Walter D. Wilson of Bibb county ;

To suppress murder, lynching and assaults and batteries.

Leave of absence was granted to Mr. Pennington, from 2 o'clock to-morrow, until Monday next.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 23, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To amend and revise the charter of the Cahaba, Marion and Greensboro Railroad company ;

To attach the county of Greene to the eighth judicial circuit, and fourth district of the southern division ;

To repeal sections 2680 and 4231 of the Revised Code ;

To authorize T. W. Armstrong to establish a ferry across the Alabama river ;

Annexing the duties of clerk of the circuit court of Clarke county to those of judge of probate ;

To increase the fees of the county officers of Clarke county ;

For the relief of Jno. W. C. Jones, of Morgan county ;

And originated and passed a joint resolution as herein shown.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
December 23, 1868. }

*Mr. President :*

I am instructed by the House to inform the Senate of its having originated and passed the following bills :

To allow the judge of the city court of Mobile to practice law in certain cases ;

To amend an act to incorporate the Southern University at Greensboro, in Greene county, and for other purposes, passed Jan. 25th, 1856 ;

To prescribe the oath of office to certain officers, &c. ;

To appoint counsel in certain cases ;

To provide for the payment of the interest due on the school fund ;

And passed Senate bill—

To grant new trials to Daniel Wadsworth of the county of Autauga.

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, December 24, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Richards, of the Senate.

On the call of the roll, the following senators answered to their names :

Messrs. Bromberg, Buckley, Foster, Glass, Hays, Johnston, Lambert, Mabry, Mahan, Martin, Oliver, Pennington, Richards, Sanford, Sibley, Stow, Whitney, Wise, Worthy and Yordy—20.

Journal of yesterday was read and approved.

#### CALL OF THE DISTRICTS.

On the call of the districts the following bills were introduced :

By Mr. Worthy, in relation to the three per cent. fund ;

Which bill was read three times and passed ;

Yeas 23, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Foster, Hays, Hinds, Johnston, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Sanford, Sevier, Sibley, Wise, Worthy and Yordy—23.

By Mr. Bromberg, to amend the law of succession ;

By Mr. Mabry, requiring certain officers to reside within four miles of the court house ;

By Mr. Hays, to amend an act to exempt real and personal property from levy and sale ;

For the protection of sheriffs, marshals and constables, &c. ;

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Sanford, to vest the absolute title of certain lands therein named in the widow and children of Isaac L. Ward, deceased, late of Cherokee county ;

By Mr. Jones, to amend section 6 of the new charter of the city of Demopolis ;

Which were severally read three times and passed.

By Mr. Lambert, to aid and encourage the manufacture of iron and the construction of railroads in the State of Alabama ;

Which bill was read twice and referred to the committee on internal improvements.

Mr. Pennington, from the select committee to investigate frauds upon the auditor, submitted a lengthy communication from R. M. Reynolds, auditor ;

Which was read ;

Said communication was returned to Mr. Pennington, in order to have it submitted to the House of Representatives.

Mr. McAfee, from the judiciary committee, reported favorably, with an amendment, to the bill, to authorize the Governor to endorse the bonds of the Montgomery and Eufaula railroad company, under act of February 19, 1867 ;

Which amendment was adopted ;

And the bill was read a third time and passed—yeas 22, nays none.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Glass, Hays, Hinds, Johnston, Jones, Lambert, Mabry, Mahan, McAfee, Morton, Royal, Sanford, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—22.

Mr. McAfee, from the same committee, reported a substitute for House bills—

To repeal section 4062 of the Revised Code ;

To amend 4063 of the Revised Code ;

Mr. Hays moved to lay the substitute on the table ;

Which motion was lost—yeas 10, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Hays, Hinds, Johnston, Jones, Morton, Pennington, Royal, Sanford and Sibley—10.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Glass, Lambert, Mabry, Mahan, McAfee, Martin, Whitney, Wise, Worthy and Yordy—12.

Mr. Whitney moved to reconsider said vote ;

Mr. Bromberg moved to lay Mr. Whitney's motion on the table ;

Which motion was lost—yeas 10, nays 14.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Lambert, Mabry, Mahan, McAfee, Oliver, Stow, Wise and Wyman—10.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Jones, Martin, Morton, Richards, Royal, Sanford, Sibley, Whitney and Yordy—14.

On motion of Mr. Hays, the substitute was laid on the table ;

Mr. Mabry moved to lay the bills on the table ;

Which motion was lost.

Senate refused to suspend the constitutional rule, in order to give the bills a third reading forthwith—yeas 14, nays 9.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Martin, Morton, Richards, Royal, Sanford, Sibley, Wyman and Yordy—14.

Those who voted in the negative are, Messrs. Bromberg,

Buckley, Lambert, Mabry, Mahan, McAfee, Oliver, Whitney and Worthy—9.

MESSAGE FROM THE GOVERNOR.

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved and signed bills which originated in the Senate, to be entitled as follows :

An act for the relief of the secretary of the Senate ;

An act to amend and enlarge the chartered powers of the corporation of the town of Talladega, and to define the same with greater certainty, approved June 12, 1854 ;

An act for the relief of the minor heirs of M. A. Baldwin, deceased.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 24, 1868. }

*Mr. President :*

The House has passed Senate bills as follows :

A bill to change the seat of justice of Morgan county ;

A bill to amend the caption and the 1st, 2d and 3d sections of the act, entitled an act to incorporate the Pioneer Petroleum Company ;

And has also originated and passed the following bills :

A bill as to the qualification of voters in municipal elections ;

A bill to authorize distributees of estate of Thos. M. Cowles to make title to certain lands ;

A bill to extend the provisions of an ordinance passed 30th November, 1867, No. 23 ;

A bill to provide for the removal of the jurisdiction of estates of decedents and minors of Bullock county ;

A bill to enlarge the jurisdiction of courts of law in this State ;

A bill to more particularly define the duties of county officers ;

A bill to amend section 3326 of the Revised Code of Alabama ;

A bill to make Mrs. Mary E. Nelson, of Dallas county, a free dealer ;

A bill to enable owners to search for lost stock ;

A bill to allow J. H. West to practice physic in the county of Henry ;

A bill to legalize the election of D. C. Stapleton to the offices of sheriff, tax collector and assessor of Baldwin county ;

A bill to amend section 2357 of the Revised Code of Alabama ;

A bill to make Elizabeth L. Lotche a free dealer ;

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

HOUSE OF REPRESENTATIVES, }  
December 24, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having passed the following bills :

A bill—

To amend an act entitled an act, approving the consolidation of the Jacksonville and Dalton railroad company with other companies therein named ;

A bill to enable certain officers to collect their fees ;

A bill in relation to county superintendents of education.

The House has passed Senate bill as follows :

For the relief of Herbert Pearson, late tax collector of Barbour county, and the sureties on his official bond ;

And has originated and passed the following bills :

To define the duties of probate judges ;

And to authorize the circuit court of Tuskaloosa county to issue bonds and for other purposes.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

On motion of Mr. Whitney, the bill to incorporate the town of Scottsboro, Jackson county ;

Was recalled from the Governor's office.

Senate adjourned till 10 o'clock Saturday morning.

SATURDAY, December 26, 1868.

Senate met pursuant to adjournment.

Called to order by the Secretary.

On motion of Mr. Mabry, Mr. Richards was called to the chair.

The President of the Senate was excused for the day.

Prayer by the Rev. Mr. Sanford of the Senate.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Glass, Johnston, Lambert, Mabry, Mahan, Morton, Martin, Oliver, Richards, Royal, Sanford, Sibley, Stow, Wise and Yordy—17.

Journal of Thursday was read and approved.

Senate decided to consider House bills for two hours.

House Bill—

To restrain the tax collector of Limestone county in the collection of a certain tax ;

Was read a third time and passed.

House Bill—

To repeal section 4062 of the Revised Code ;

Was read a third time and lost—yeas 10, nays 11.

Those who voted in the affirmative are, Messrs. Barr, Glass, Hays, Johnston, Martin Morton, Royal, Sanford, Sibley and Yordy—10.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Mabry, Mahan, McAfee, Oliver, Richards, Stow, Wise, Worthy and Wyman—11.

Said vote was afterwards reconsidered and the bill passed.

House bill—

To amend section 4063 of the Revised Code, was taken up.

On motion of Mr. Worthy, the bill was amended as follows :

Provided, that all the qualifications and restrictions with regard to competency and qualification in the selection of jurors as is now required by law in this section, shall be strictly observed by said officers ;

Bill as amended, was read a third time and passed—yeas 19, nays 2.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Glass, Hays, Hinds, Lambert, Mahan, McAfee, Martin, Oliver, Richards, Royal, Sanford, Sibley, Stow, Wise, Worthy, Wyman and Yordy—19.

Those who voted in the negative are, Messrs. Mabry and Morton—2.

House bill—



To authorize the removal of the administration of the estate of J. M. McClure :

Was taken from the table, read a third time and passed.

House bill—

For the relief of John W. C. Jones, of Morgan county ;

Was read twice and referred to the judiciary committee.

House bill—

For the relief of Georgianna C. Addison ;

Was read twice and indefinitely postponed.

On motion of Mr. Whitney, the vote on the bill to incorporate the town of Scottsboro, Jackson county, so as to put it back on second reading, was reconsidered.

On motion of same, sections 9 and 10 were stricken out ;

Bill was then read third time and passed.

House bills—

For the relief of H. A. Creamer and Elizabeth Creamer, of Covington county ;

To declare N. M. Daniel, a citizen of Clay county ;

Were severally read twice and laid on the table.

House bill—

For the relief of W. B. Seymour and Andrew Taylor, of Winston county ;

Was read twice.

On motion of Mr. Sanford, the bill was amended as follows :

Provided, the probate judge of Winston county shall have paid over the said moneys in his hands to the legal officers to receive the same before this law shall take effect ;

As amended, the bill was read third time and passed.

House bill—

To make Mrs. Mary Ann Reed, wife of Thomas Reed, of Montgomery county, a free-dealer ;

Was read three times and passed.

Senate bill—

To amend the charter of the Vicksburg and Brunswick railroad company ;

Was read a third time and passed.

House bill—

To make Eleanor Matilda Bross, of Elmore county, a free-dealer ;

Was read twice ;

On motion of Mr. Hays, the bill was amended, by adding the name of Mrs. Mary M. Rhyne, wife of Thomas S. Rhyne, of Sumter county ;

As amended, the bill was read a third time and passed.

House bill—

To divide the county of Sanford into commissioners' districts ;

Was read three times and passed.

House bill—

For the relief of W. G. Gunter, of Blount county ;

Was read a second time, and ordered to a third reading ;

Senate reconsidered the votes on the 2d and 3d readings of the House bill, for the relief of James P. Wood, of Barbour county ;

Bill was laid over till Monday next.

House bill—

As to the qualification of voters in municipal elections ;

Was read twice ;

On motion of Mr. Oliver, the bill was amended, by striking out the words, "race, color or previous condition," and by inserting the word "persons";

As amended, the bill was read a third time and passed.

House bills—

For the relief of George P. Kinsey, of Henry county ;

For the relief of tax payers of Covington county ;

Were severally read and ordered to a second reading.

House bill—

For the relief of W. B. Hammett, of Talladega county ;

Was read twice ;

Mr. McAfee moved to add the names of B. W. Groce and W. H. Kirksey, of Talladega county ;

Mr. Barr moved to lay the bill and amendment on the table ;

Which was lost ;

Pending consideration of the amendment—

Senate took up House bill, to establish revenue laws for the State of Alabama ;

All the votes adopting previous amendment to the bill were reconsidered, and said amendment was laid on the table.

The vote tabling the amendment as to "private libraries," was as follows—yeas 21, nays 3.

Those who voted in the affirmative are, Messrs Bromberg, Farden, Glass, Hays, Johnston, Lambert, Mabry, McAfee, Martin, Morton, Oliver, Richards, Royal, Sanford, Stow, Whitney, Wise, Worthy, Wyman and Yordy—21.

Those who voted in the negative are, Messrs. Barr, Hinds and Sibley—3.

Mr. Sibley moved to strike out "breweries" and "distilleries ;"

Which motion was laid on the table.

Bill, without amendment, was read a third time and passed.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 26, 1868. }

*Mr. President :*

The House has passed the following Senate bill :

A bill for the relief of Reddin Garrison of Winston county ;

And has also originated and passed the following bills :

A bill to relieve C. P. Simmons of Franklin county from conviction under certain indictments now pending against him in Franklin county ;

A bill for the relief of Elisha B. Lott, tax collector of Mobile county ;

A bill to make Sarah A. E. Gravlee of Walker county a free dealer ;

Also a bill to establish the Mobile Charitable Association for the benefit of the school fund of Mobile county, without distinction of color.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

Senate adjourned till 10 o'clock Monday morning.

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MONDAY, December 28, 1868.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Sanford of the Senate.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Buckley, Farden, Glass, Hays, Hinds, Johnston, Lambert, Mabry, Mahan, Martin, Morton, Oliver, Pennington, Royal, Sanford, Stow, Whitney, Wise and Yordy—20.

Journal of Saturday was read and approved.

Mr. President presented the circular of the "National Lincoln Monument Association," with other documents of said Association ;

Circular was read and referred to a select committee composed of Messrs. Hays, Barr and Pennington.

## CALL OF THE DISTRICTS.

On the call of the districts, the following bills, &c., were introduced:

By Mr. Sibley, supplementary to an act to establish revenue laws for the State of Alabama;

Which bill was read twice.

The second section was stricken out.

Mr. Yordy moved to lay the bill on the table, which motion was lost—yeas 12, nays 13.

Those who voted in the affirmative are, Messrs. Glass, Hays, Johnston, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Sanford, Wyman and Yordy—12.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Hinds, Lambert, Morton, Richards, Sibley, Stow, Whitney, Wise and Worthy—13.

Mr. Sanford offered an amendment, which was accepted.

Mr. Hays moved to indefinitely postpone the bill, which motion was lost—yeas 11, nays 13.

Those who voted in the affirmative are, Messrs. Glass, Hays, Johnston, Mabry, Mahan, McAfee, Oliver, Pennington, Royal, Wyman and Yordy—11.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Hinds, Lambert, Martin, Morton, Richards, Sanford, Sibley, Stow, Whitney and Worthy—14.

Bill was read a third time and passed.

By Mr. Sanford, to create a new county to be called Baker;

Which bill was read three times and passed—yeas 21, nays 1.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Farden, Glass, Hays, Hinds, Johnston, Lambert, Mahan, Martin, Oliver, Pennington, Richards, Royal, Sanford, Sibley, Stow, Wise, Worthy, Wyman and Yordy—21.

Mr. McAfee voted in the negative—1.

Mr. Richards, from the select committee, reported favorably to the bill,

To authorize religious societies to secure by deed of trust or mortgage, the payment of debts;

Which bill was read a third time and passed.

Also, from the same committee, reported a substitute for the bill,

Supplemental to an act for the suppression of secret organizations of men disguised for the purpose of committing crimes and outrages;

Which substitute was adopted and the bill read a third time and passed.

Mr. Sanford introduced resolution looking to declaring the seats of certain Senators vacant ;

Which was read and referred to a select committee composed of Messrs. Worthy, Sanford and Pennington.

Mr. McAfee, from the judiciary committee, reported favorably to the bill—

To incorporate the Millville Academy, in the county of Clay ;

Bill was then ordered to a third reading.

By Mr. McAfee, to authorize judges of the circuit and city courts to hold a special term to declare void certain judgments and grant new trials in certain cases ;

By Mr. Lambert, for the relief of returning officers of elections and of county registrars ;

By Mr. Farden, supplementary to an act fixing the time of the annual meeting of the General Assembly ;

By Mr. Stow, to incorporate the town of Dublin, in Montgomery county ;

For the relief of John W. Shepherd, reporter of the Supreme Court ;

Supplementary to act to establish Revenue Laws for the State of Alabama ;

By Mr. Wyman, to amend the charter of the town of Uniontown ;

By Mr. Barr, to amend the new charter of the city of Selma ;

In relation to the meeting of stockholders of the Alabama and Chattanooga Railroad company ;

Which were severally read a third time and passed.

By Mr. Pennington, to enable the judges of the circuit courts to dispose of all the business within the jurisdiction of said courts within the next twelve months ;

Which bill was read twice and referred to the committee on the judiciary,

By Mr. Martin, in relation to the public printing of Russell county ;

Which bill was read twice and indefinitely postponed.

By Mr. Farden, supplemental to an act to establish revenue laws for the State of Alabama ;

Which was read and laid on the table.

By Mr. Stow, supplemental to an act to establish revenue laws for the State of Alabama ;

Which bill was read twice.

Mr. Richards moved to lay the bill on the table ;

Which motion was lost.

Bill was read a third time and lost ; yeas 11, nays 12

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Johnston, McAfee, Pennington, Royal, Sanford, Stow, Wise and Worthy—11.

Those who voted in the negative are, Messrs. Farden, Hays, Hinds, King, Lambert, Mahan, Martin, Oliver, Richards, Sibley Whitney and Yordy—12.

By Mr. Hays, to authorize C. Brett, of Sumter county, to sell liquors, &c. ;

Which bill was read twice and ordered to a third reading.

By Mr. Hays, joint resolution proposing a joint committee of the two Houses of the General Assembly to superintend a revision of the laws of Alabama ;

Which was read, and on motion of Mr. Pennington, laid on the table.

Mr. Richards, to provide a method for the disbursement of the school funds in the State of Alabama ;

Which bill was read twice, and on motion of Mr. Worthy, indefinitely postponed.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 28, 1868. }

*Mr. President :*

The House has originated and passed bills as follows :

To authorize the county treasurer of Wilcox county to pay a salary to the solicitor of said county ;

To amend an act entitled an act to lay off and divide the State into twelve judicial circuits, and fix the time of holding the courts therein, approved February 19th, 1867 ;

To regulate the fees of sheriffs and commissioners in the apportionment of widows' dower ;

To authorize the commissioners' court of Walker county to issue bonds for the purpose of liquidating the indebtedness of said county ;

And joint resolution as herein shown.

The House has amended and passed the following Senate bill :

A bill to constitute Susannah M. McNain and others therein named free dealers ;

In relation to the three per cent. fund.

The House has concurred in Senate amendment to House bill—

To amend section 4063 of the Revised Code of Alabama.  
 W. B. CLOUD,  
 Clerk of the House.

Mr. Worthy introduced a bill,  
 To provide for setting aside sales of property made since  
 the adoption by the late constitutional convention of "An  
 Ordinance to stay the collection of debts;"  
 Which bills were severally read twice;  
 Pending its consideration,  
 Senate adjourned till 7 p. m.

#### NIGHT SESSION.

Senate met pursuant to adjournment.  
 On the call of the roll, the following Senators answered to  
 their names:

Messrs. Bromberg, Buckley, Farden, Glass, Johnston, Lam-  
 bert, Mabry, Mahan, McAfee, Morton, Oliver, Sanford, Stow,  
 Whitney, Wyman and Yordy—17.

Senate bill—

To provide for setting aside sales of property made since  
 the adoption of "An Ordinance to stay the collection of debts;"  
 Was read a third time and passed—yeas 11, nays 7.

Those who voted in the affirmative are, Messrs. Buckley,  
 Farden, Glass, Hays, Johnston, Lambert, Mahan, Morton,  
 Sanford, Whitney and Wyman—11.

Those who voted in the negative are, Messrs. Bromberg,  
 Mabry, McAfee, Oliver, Sibley, Stow and Yordy—7.

Mr. Whitney introduced a bill, to repeal an act to appoint  
 an additional surveyor for the county of Jackson;  
 Which bill was read three times and passed.

Mr. Oliver introduced a bill, to amend section 1759 of the  
 Revised Code;

Which bill was read three times and passed.

Senate bill—

To authorize the Georgia Western Railroad Company to  
 extend and construct their road, &c;

Was taken up and the vote on the adoption of Mr. San-  
 ford's amendment was reconsidered;

Bill was then read a third time and passed.

Mr. Richards, from the committee on education, reported  
 favorably to the House bill,

To amend section 962 of the Revised Code.

On motion of Mr. Lambert, section 2 was stricken out—yeas 11, nays 10.

Those who voted in the affirmative are, Messrs. Hays, Hinds, Johnston, Lambert, Ma'ry, Mahan, McAfee, Stow, Worthy, Wyman and Yordy—11.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, Morton, Oliver, Pennington, Richards, Sanford, Sibley and Whitney—10.

Bill, as amended, was ordered to a third reading.

Also, from the same committee, reported adversely to the bill,

To authorize the Governor to issue a patent to John G. Harris ;

Which report was concurred in.

Also, from the same committee, reported adversely to the bill,

To authorize the corporators, their successors, or the trustees of the East Alabama Female College to change the character of the institution to that of a military and scientific academy, and establish a lottery ;

Which report was not concurred in.

On motion of Mr. Pennington, all in the bill relating to a lottery was stricken out ;

Bill was recommitted to a select committee composed of Messrs. Worthy, Richards and Glass ;

Also, from the same committee, reported favorably to the House bill,

For the protection of the State of Alabama for certain school lands that have been or may be sold hereafter ;

Which bill was read a third time and passed.

Also, from the same committee, reported a bill, in accordance with the message of the Governor,

Relating to certain lands in Nebraska, belonging to the State of Alabama ;

Which bill was laid on the table.

House bill—

To amend section 4 of an act to carry into effect an act of Congress, approved 22d June, 1854, authorizing the selection of lands in lieu of 16th sections within the 12 miles square reservation in the State of Alabama ;

Which bill was read a third time and passed.

House bill—

For the relief of W. G. Gunter of Blount county ;

Was read a third time and laid on the table.



House bill—

For the relief of James P. Wood, of Barbour county ;  
Was read a second time and ordered to a third reading.

House bill—

For the relief of tax payers of Covington county ;  
Was read a second and third time and passed;

House bills—

For the relief of George P. Kinsey, of Henry county ;  
For the relief of W. B. Hammett, of Talladega ;  
Were severally read a second time and laid on the table.

House joint resolution—

In relation to instructing our representatives in Congress to  
urge the allowance of \$103,991.26, accrued interest on the 2  
and 3 per cent. fund, &c. ;

Was read and adopted.

House bill—

To establish the Mobile Charitable Association, for the ben-  
efit of the school fund of Mobile county, without distinction  
of race or color ;

Was read twice.

Mr. Richards moved to lay the bill on the table,  
Which motion was lost.

Senate refused to suspend the constitutional rule to give the  
bill a third reading forthwith ;

Yeas 12, nays 7.

Those who voted in the affirmative are, Messrs. Buck-  
ley, Foster, Glass, Hays, Hinds, Mabry, Royal, Sibley, Whit-  
ney, Wise and Yordy—12.

Those who voted in the negative are, Messrs. Bromberg,  
Lambert, Mahan, McAtee, Oliver, Sevier and Stow—7.

Bill was ordered to a third reading.

The following message was received from the Governor :

*Mr. President :*

I am directed by the Governor to inform the Senate that he  
has this day approved and signed bills to be entitled :

In relation to appeals from justices courts, and from circuit  
courts ;

For the more effectual execution of legal process ;

To declare Mary S. Glover, of Greene county, a free dealer ;

For the relief of James M. Moragne ;

To incorporate the town of Briar Hill, in Pike county ;

To authorize the circuit court of Lee county to borrow  
money to build a court house ;

To authorize the circuit court of Sumpter county to levy an additional tax for county purposes ;

To extend the time for the collection of taxes in Choctaw county ;

Very respectfully,

D. L. DALTON, private secretary.

Message from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 28, 1868. }

*Mr. President :*

The House has passed Senate bill—

To allow John Whitfield, of the county of Jackson, to take one-sixth toll ;

And has originated and passed the following bills :

To amend an act entitled an act to incorporate the mountain railroad contracting company ;

To amend an act entitled an act to amend an act entitled an act to incorporate the South and North Alabama railroad company ;

And has originated and adopted a joint resolution as herein shown.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, December 29, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Buckley, Hays, Johnston, Lambert, Mabry, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sibley, Wise, Wyman and Yordy—17.

Journal of yesterday read and approved.

Messages from the Governor as follows :

## EXECUTIVE DEPARTMENT

STATE OF ALABAMA,

Montgomery, December 29, 1868. }

*To the Senate :*

I transmit herewith a report from the Secretary of State in regard to the late registration of voters in Alabama. Appended to the report is a carefully prepared table, showing the number of voters registered in each county, under the act approved October 5th, 1868, and also the number registered under the military authorities preceding the election of delegates to the Constitutional Convention, in 1867, and revised prior to the election for the ratification of the Constitution. The report also shows that the entire expense connected with the registration was \$15,049 73, which is less than the amount appropriated for the purpose at your last session.

No legislation is necessary in connection with this report, but as the registration to which it refers is to be a permanent basis for future elections, I deem it advisable to communicate it for your information, so that it may become formally identified with your legislative records.

WILLIAM H. SMITH.

*Hon. Wm. H. Smith, Governor of Alabama :*

SIR: By an act of the General Assembly, approved by your Excellency, October 5th, 1868, it was made the duty of the Secretary of State to superintend the registration of electors of this State. Having attended to that duty, and received complete returns, I submit, very respectfully, the accompanying tabular statement.

The books pertaining to the military registration of the State were, by an order of General Meade, transferred to this office, and I have given in the accompanying exhibit, for convenience of reference, the registration by counties as made by the military and civil authorities. It will be seen that 171,278 were registered under military authority, while the last registration shows 171,448—a gain of 70.

I am indebted entirely to a most efficient corps of assistants for whatever success has attended this registration.

Accompanying, also, please find an exhibit of the entire expense incurred under this act, amounting to fifteen thousand forty-nine dollars and seventy-three cents.

I am, very respectfully,

your obedient servant,

CHAS A. MILLER,

Secretary of State.

	1867.	1868.
	<i>Military Register.</i>	<i>Civil Register.</i>
Autauga.....	2,531.....	2,398
Baine.....	1,310.....	1,154
Baldwin.....	1,205.....	1,471
Barbour.....	5,184.....	5,966
Bibb.....	1,704.....	1,589
Blount.....	1,407.....	890
Bullock.....	4,547.....	4,330
Butler.....	2,795.....	3,136
Calhoun.....	2,080.....	2,040
Chambers.....	2,797.....	2,826
Cherokee.....	1,755.....	1,349
Choctaw.....	2,197.....	2,247
Clarke.....	2,381.....	2,493
Clay.....	1,193.....	1,152
Cleburne.....	1,204.....	950
Coffee.....	1,438.....	1,044
Colbert.....	2,029.....	1,600
Conecuh.....	1,834.....	1,936
Coosa.....	1,807.....	1,884
Covington.....	813.....	700
Crenshaw.....	1,547.....	1,521
Dale.....	1,924.....	1,784
Dallas.....	8,524.....	9,141
DeKalb.....	889.....	953
Elmore.....	2,559.....	2,665
Fayette.....	1,126.....	708
Franklin.....	979.....	931
Greene.....	3,773.....	3,973
Hale.....	4,479.....	4,509
Henry.....	2,348.....	2,165
Jackson.....	2,955.....	2,616
Jefferson.....	1,796.....	1,797
Jones, (Sanford).....	1,201.....	972
Lauderdale.....	2,511.....	2,178
Lawrence.....	2,702.....	2,441
Lee.....	3,660.....	3,822
Limestone.....	2,433.....	1,961
Lowndes.....	4,801.....	5,185
Macon.....	3,334.....	3,645
Madison.....	5,023.....	4,692
Marengo.....	5,208.....	5,583
Marion.....	886.....	121
Marshall.....	1,451.....	1,278

Mobile.....	9,795.....	12,840
Monroe.....	2,415.....	1,848
Montgomery.....	8,802.....	9,465
Morgan.....	1,732.....	1,455
Perry.....	5,373.....	5,362
Pickens.....	2,871.....	2,482
Pike.....	2,673.....	2,505
Randolph.....	1,497.....	1,443
Russell.....	3,575.....	3,744
Shelby.....	2,023.....	2,033
St. Clair.....	1,252.....	1,324
Sumter.....	4,665.....	4,685
Talladega.....	3,115.....	3,307
Tallapoosa.....	2,979.....	2,859
Tuscaloosa.....	3,406.....	3,496
Walker.....	923.....	615
Washington.....	662.....	533
Wilcox.....	4,755.....	5,198
Winston.....	545.....	458
	<hr/>	
	171,378	171,448

Paid to Assistant Registrars.....	\$14,457 50
Barrett & Brown, for Printing.....	548 48
Postage, Express, and Telegraphing....	43 75
	<hr/>
	\$15,049 73

Which was read, and on motion of Mr Pennington, laid on the table and 1,000 copies ordered to be printed.

#### REPORTS OF STANDING AND SELECT COMMITTEES.

Mr. Hinds, from the committee on banks and insurance, reported favorably to the bill,

To amend the charter of the city savings association of Mobile ;

Which bill was read a third time and passed ;

Also, from the same committee, reported adversely to the House bill,

To amend the charter of the Alabama Mutual Life Insurance Company of Selma ;

Which report was not concurred in.

The 14th section was stricken out.

On motion of Mr. Oliver, section 9 was stricken out ;

On motion of Mr. Whitney, the bill was laid on the table.

Mr. Lambert gave notice that he would move to reconsider the vote by which the Senate struck out section 2 of House bill,

To amend section 962 of the Revised Code.

Mr. Hays, from the select committee, reported joint resolution proposing a commission in Alabama to co-operate with the National Lincoln Monument association;

Which were read and laid over.

Mr. Sanford, from the committee on poor laws and charitable institutions, reported adversely to the bill,

To provide homes for certain destitute women and children in this State ;

Which report was concurred in.

Mr. Yordy, from the committee on taxation, reported adversely to the House bill,

To require the Auditor to furnish books and assessment lists to each tax assessor and collector in the several counties of this State ;

Which report was concurred in ;

Also, from the same committee, reported favorably to the bill ;

For the relief of A. B. Faver, and others ;

Which bill was read a third time and passed.

Mr. Sibley, from the committee on privileges and elections, reported favorably to the House bill,

To fix the time for the annual meeting of the General Assembly ;

Senate reconsidered its former amendment to the bill ;

Bill was read a third time and passed.

Also, from the same committee, reported a substitute for the resolution requiring the secretary of the Senate to notify certain senators absent without leave ;

Which substitute was laid on the table.

Mr. Oliver, from the committee on grievances and disabilities, reported favorably to the bill,

For the relief of Turner Wood, of Jackson county ;

Which bill was read a third time and passed.

Leave of absence was granted to Mr. Richards for the balance of the session.

Mr. Oliver, from the same committee, reported favorably to the bill,

To legalize the marriage between Reuben J. Wilson and Rufina Wilson, of the county of Jackson ;

Which bill was read a third time and lost.

Also, from the same committee, reported favorably to the bill,

For the relief of Preston Woolsey, of Jackson county ;

Which bill, on motion of Mr. Lambert, was indefinitely postponed ;

Also, from the same committee, reported favorably to the bill,

For the relief of Archibald C. McIntyre ;

Which bill was read a third time and passed.

Also, from the same committee, reported adversely to the bill,

To authorize the retailing of spirituous liquors in Tallapoosa county ;

Which report was concurred in.

Mr. Farden, from the committee on internal improvements, reported favorably, with amendments, to the bill,

To aid in the improvement and opening the Cahaba river to navigation ;

Which amendments were adopted.

Mr. Farden offered an amendment.

Mr. Worthy offered the following substitute, which Mr. Farden accepted :

“ Provided, That the endorsement of the State shall be given on the terms herein set forth, on that part of the contemplated improvement above the first hundred miles, and then only on sections of ten miles thereafter when completed ; and no endorsement shall be given until the first section of hundred miles shall have been fully and permanently completed as required by the provisions of this bill ;”

Bill was read a third time and lost, not receiving the constitutional two-thirds majority—yeas 14, nays 10.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Lambert, Mabry, Mahan, Pennington, Sibley, Worthy, Wyman and Yordy—14.

Those who voted in the negative are, Messrs. Hinds, McAfee, Martin, Morton, Oliver, Royal, Sanford, Stow, Whitney and Wise—10.

Senate concurred in the amendments of the House to the bill,

To establish the city court of Huntsville.

Senate bill, to amend an act for the relief of Lawson C. Coulson, late probate judge of Jackson county, &c. ;

Which was read a third time and passed.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 29, 1868. }

*Mr. President :*

The House has originated and passed the following bills :

A bill for the relief of C. C. Allison of Lauderdale county ;

A bill to allow the county commissioners of Hale county twelve months further time in which to complete the county jail for said county and for other purposes ;

An act to provide against vexatious bidding at public sales ;

A bill to make Matilda J. Danford of Barbour county a free dealer ;

A bill to make Mary V. Smort a free dealer ;

A bill for the relief of Mrs. Mary A. Smoot of Talladega county ;

A bill for the relief of Peter J. Beach of Washington county ;

A bill to make Francis Ann Crab, of Tallapoosa county a free dealer ;

A bill for the relief of Isaac Shannon ;

A bill to amend section 841 of the Revised Code of Alabama ;

A bill to declare Paul Inge and Silas Morphew, liners, citizens of Winston county ;

A bill to extend the time in which executors and administrators must make final settlement in certain cases ;

A bill to make Mrs. Eliza A. C. Morgan, of Barbour county a free dealer ;

For the relief of certain persons therein named ;

For the relief of E. G. Talbert, of Marengo county ;

To declare Elizabeth C. McKenzie, of the county of Macon, a free-dealer ;

To change the boundaries between the counties of Butler and Conecuh ;

To secure to the State of Alabama the benefits of an act of Congress donating public lands to the several States and Territories which may provide colleges for the benefit of agricultural and mechanical arts ;

For the protection of prisoners of Hale county ;

To amend the law in reference to the sessions of the circuit court in Jackson and DeKalb counties ;

And has also passed the following Senate bills :

To create a new county to be called the county of Baker ;

To amend section two of an act entitled an act to incorporate the Vicksburg and Brunswick railroad company ;

To provide for setting aside sales of property made since



the adoption by the late constitutional convention, of an ordinance to stay the collection of debts;

For the suppression of secret organizations;

To authorize the Governor to endorse bonds of the Montgomery and Eufaula railroad company;

The House has originated and passed bills as follows:

For the relief of Wm. H. Farris, of the county of Franklin;

For the relief of George F. Huckabee, of Hale county;

For the revision of claims upon which judgments were rendered between the 11th day of June, 1861, and the 20th day of July 1865;

For the relief of Enoch Riley, of Monroe county;

To prevent the sacrifice of real estate;

For the relief of administrators, executors, guardians, trustees, attorneys, agents, and other persons;

To authorize and require the court of county commissioners of Limestone county to levy a tax and issue bonds for certain purposes;

To amend the charter of the Alabama Manufacturing company at Selma, adopted, February 8, 1868;

And passed joint resolution in favor of Isaac Cohen.

And has passed Senate bills, in relation to the great seal of the State;

For the protection of sheriffs and other officers;

And joint resolutions relating to the annexation of West Florida;

The House has originated and passed the following bills:

To be entitled an act allowing married women to become free-dealers;

For the protection of holders of insurance policies in this State;

The House has amended and passed the bill:

To establish the city court of Huntsville;

And originated and passed bills as follows:

To regulate lotteries;

And to provide for the further survey of the Coosa river, and the lands adjacent thereto.

Senate adjourned till 7 p. m.

#### NIGHT SESSION.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names:

Messrs. Buckley, Farden, Glass, Hinds, Johnston, Lambert, Mabry, McAfee, Martin, Morton, Royal, Sanford, Sibley, Stow, Worthy, Wyman and Yordy—17.

House bill—

For the relief of James P. Wood, of Barbour county ;

Was read a third time and passed.

House bill—

To amend section 962 of the Revised Code ;

Was read a third time, and on motion of Mr. Worthy, laid on the table.

House bill—

To provide for the removal of the jurisdiction of estates of decedents and minors, of Bullock county ;

Was read twice, and on motion of Mr. Worthy, was laid on the table.

House bills—

To appoint counsel in certain cases ;

For the relief of executors, administrators, guardians, trustees, attorneys, agents, and for other purposes ;

To amend an act to incorporate the South and North Alabama Railroad company ;

To amend an act to incorporate the Mountain Railroad Contracting company ;

For the relief of Arraney Page, of Washington county ;

To make Sarah A. E. Gravlee, of Walker county, a free dealer ;

For the relief of Samuel McCartney, probate judge of Washington county ;

For the protection of holders of insurance policies in this State ;

Which were severally read three times and passed.

House bill—

To make Mary E. Nelson, of Dallas county, a free dealer ;

On motion of Mr. Worthy,

The bill was amended, as follows :

“ In all things pertaining to her separate property.”

Bill was read a third time and passed.

Senate concurred in the amendment of the House to the Senate bill—

In relation to the three per cent. fund ;

House bill—

To establish the Mobile Charitable Association for the benefit of the school fund of Mobile county, without distinction of race or color ;

Was read a third time and lost ; yeas 10, nays 14.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Lambert, Mabry, Mahan, McAfee, Oliver, Stow, Wise and Wyman—10.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Hinds, Jones, Martin, Morton, Richards, Royal, Sanford, Sibley, Whitney and Yordy—14.

House bill—

To amend and revise the charter of the Cahaba, Marion and Greensboro Railroad company ;

Was read twice.

On motion of Mr. Lambert, sections 4 and 5 were stricken out.

On motion of Mr. Bromberg, section 15 was amended, as follows :

“Not to exceed the rates prescribed in the general act for the incorporation of railroads enacted at the present session of the General Assembly.”

As amended, the bill was read a third time and passed.

House bill—

To enable certain officers to collect their fines ;

Was read twice.

Mr. Hays moved to lay the bill on the table ;

Which motion was lost—yeas 10, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Hays, Hinds, Johnston, Jones, Morton, Pennington, Royal, Sanford and Sibley—10.

Those who voted in the negative are, Messrs. Bromberg, Buckley, Glass, Lambert, Mabry, Mahan, McAfee, Martin, Whitney, Wise, Worthy and Yordy—12.

Pending consideration of the bill,

Senate adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, December 30, 1868.

Senate met pursuant to adjournment.

Prayer by the chaplain.

On the call of the roll, the following Senators answered to their names :

Messrs. Barr, Bromberg, Foster, Hays, King, Lambert, Mabry, Mahan, McAfee, Martin, Morton, Oliver, Pennington, Richards, Royal, Sanford, Sevier, Sibley, Stow, Whitney, Wise and Yordy—21.

Journal of yesterday was read and approved.

House bill, to enable certain officers to collect their fees,  
Came up on its second reading.

Mr. Mabry moved to amend so as to read :

“To allow all officers to collect their costs at the end of all suits and not before, any law to the contrary notwithstanding.”

Mr. Hays moved to amend the amendment as follows :

Provided, that the counties of Greene and Pickens are exempt from the operations of this bill ;

Which was lost.

Mr. Pennington moved to lay the bill and amendment on the table, which motion was lost—yeas 11, nays 13.

Those who voted in the affirmative are, Messrs. Glass, Hays, Johnston, Lambert, Mahan, McAfee, Morton, Pennington, Royal, Sanford and Worthy—11.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Hinds, Mabry, Martin, Oliver, Sibley, Stow, Wise, Wyman and Yordy—13.

Mr. Sibley called the previous question which was sustained.

Senate refused to suspend the Constitutional rule to give the bill a third reading forthwith—yeas 12, nays 12.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Hinds, Martin, Oliver, Sibley, Stow, Wise, Wyman and Yordy—12.

Those who voted in the negative are, Messrs. Glass, Hays, Johnston, Lambert, Mabry, Mahan, McAfee, Morton, Pennington, Royal, Sanford and Worthy—12.

Mr. Bromberg gave notice that he would move to reconsider the vote on the House bill,

To amend and revise the charter of the Cahaba, Marion and Greensboro Railroad Company ;

Also, the vote by which the Senate refused to pass the House bill,

To establish the Mobile Charitable Association for the benefit of the school fund of Mobile county, &c. ;

Mr. Pennington, from the select committee to investigate frauds or attempted frauds on the Auditor, submitted the following report, which was received and the committee discharged :

Report of committee to examine if any frauds have been practiced, or attempted to be practiced, on the Auditor of public accounts.

The committee to whom was referred a joint resolution rela-

tive to frauds, or attempted frauds, on the Auditor of public accounts, beg leave to report as follows :

It does not appear by any evidence in possession of the committee, that any members of the Legislature have attempted any fraud upon the Auditor. Some vouchers, irregular in form, have been presented which the Auditor has declined to audit, but it does not appear that he has refused to audit any claim authorized by law. In the opinion of your committee, the Auditor has been vigilant and efficient in the discharge of his official duties, and he has been guilty of no discourtesy to the General Assembly.

The few vouchers which the Auditor has declined to audit, are not deemed by the committee as attempts to defraud the treasury, but seem to be attributable to clerical errors, or carelessness on the part of clerks. If, however, parties whose vouchers the Auditor has declined to audit, feel aggrieved, in the opinion of the committee, they should seek their redress through the courts, and not at the hands of the General Assembly.

The action of the Auditor in the premises is sustained by a written opinion of the Attorney General, which has been before the committee.

With these statements, the committee ask to be discharged from the further consideration of the subject.

J. L. PENNINGTON,  
Chairman.

Senate concurred in the amendments of the House to the Senate bill,

To authorize counties, cities and towns to subscribe to the capital stock of railroads, &c.

House bill—

To incorporate the town of Marion, Perry county ;

Was read three times and passed.

House bill—

To provide for the payment of the interest on the school fund ;

Which was read a second time.

On motion of Mr. Stow, the bill was amended as follows :

Provided, That such bonds shall only be sold when there is not sufficient money in the treasury that can be applied to such purposes, and that such bonds shall only be placed on the market as the exigencies shall demand.

Wr. Worthy moved to indefinitely postpone the bill, which motion was lost—yeas 4, nays 20.

Those who voted in the affirmative are, Messrs. Mahan, McAfee, Sanford and Worthy—4.

Those who voted in the negative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Johnston, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Royal, Sibley, Stow, Wise, Wyman and Yordy—20.

Mr. Worthy moved to amend as follows :

Provided, That no money which may be realized by the sale of bonds contemplated by this bill shall be paid out until after the same shall have been fully reported to the next General Assembly ;

Which amendment, on motion of Mr. Whitney, was laid on the table—yeas 18, nays 6.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hinds, Johnston, Lambert, Martin, Morton, Oliver, Pennington, Sibley, Stow, Whitney, Wise, Wyman and Yordy—18.

Those who voted in the affirmative are, Messrs. Mabry, Mahan, McAfee, Royal, Sanford and Worthy—6.

The constitutional rule was suspended—yeas 20, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Johnston, Lambert, Mabry, Martin, Morton, Oliver, Pennington, Sibley, Stow, Whitney, Wise, Wyman and Yordy—20.

Those who voted in the negative are, Messrs. Mahan, McAfee, Royal, Sanford and Worthy—5.

Mr. Worthy moved to refer the bill to a select committee ;

Which motion, on motion of Mr. Whitney, was laid on the table ;

Bill was read a third time and passed.

House joint memorial to Congress of the United States in relation to a grant of land for railroad purposes ;

Was read and adopted.

Message was received from the Governor, as follows :

*Mr. President :*

The Governor has approved and signed bills which originated in the Senate, to be entitled as follows :

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages ;

For the relief of Herbert Pearson, late tax collector of Barbour county, and his sureties on his official bond ;

To regulate and pay the debt of Wilcox, Perry, Butler and St. Clair counties ;

To amend the charter of the Washington Fire and Marine Insurance company of Mobile ;

An act to amend an act to authorize the Mobile and Great Northern railroad company and the Alabama and Florida railroad company of Alabama, to consolidate, &c. ;

To extend the time for the collection of taxes in Choctaw county ;

To authorize the county commissioners of Perry county to assess a special tax ;

For the relief of Reddin Garrison, of Winston county ;

To repeal an act to regulate the fees of jurors and witnesses of the county of Chambers ;

To suppress murder, lynching and assaults and batteries ;

To incorporate the town of Eutaw in Greene county.

Very respectfully,

Your obedient servant,

D. L. DALTON,

Private Secretary.

Message from the Governor, as follows :

*Mr. President :*

I am directed by the Governor to inform the Senate that he has approved bills, as follows :

Relating to the three per cent. fund ;

For the relief of Jerry A. Guy of Lee county ;

To change the seat of justice of Morgan county ;

To amend the caption and sections 1, 2 and 3 of the act to incorporate the Pioneer Petroleum company ;

To authorize the Memphis and Charleston Railroad company to issue bonds, secured by mortgage, for the construction of branch roads ;

To authorize the commissioners court of Cleburne county to levy a special tax ;

To amend an act for the relief of Lawson C. Coulson, late probate judge of Jackson county, &c. ;

To authorize the Memphis and Charleston Railroad company to construct branch roads by the increase of the capital stock ;

To regulate the enclosure of stock in Greene county ;

To incorporate the town of Scottsboro, in Jackson county ;

In relation to the great seal of Alabama ;

To amend sections 3, 8 and 13 of an act entitled an act in relation to the chancery courts of Alabama ;

For the relief of Walton D. Wilson, of Bibb county ;

To repeal an act to amend the first section of an act to incorporate the town of Bluffton, in Chambers county, and to amend the first section thereof.

Very respectfully,

Your obedint servant,

D. L. DALTON, Secretary.

Messages from the House, as follows :

HOUSE OF REPRESENTATIVES, }  
December 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having originated and passed bills of the following titles :

To empower the Governor to remove certain county officers ;

Supplemental to an act to amend the corporation laws of Alabama ;

To provide for the execution of the laws of this State ;

To amend section 4041 of the Revised Code ;

To repeal an act to regulate the appointment of overseers and supervisors of public roads in the county of Henry ;

To authorize the probate judge of Franklin county to hold monthly terms of the probate and county courts in the town of Tuscumbia in said county ;

To amend an act to incorporate the Cahaba Coal Company of Alabama, &c. ;

To authorize the court of county commissioners of the counties of Lee, Tallapoosa, Coosa, Talladega, Jefferson, Walker, Winston, Lawrence and Franklin to subscribe to the capital stock of the Savannah and Memphis Railroad, and for other purposes therein named ;

Supplementary to an act to locate the seat of justice of Morgan county, approved Dec. 30, 1868 ;

And originated and passed the following memorial and joint resolution of the General Assembly to the Congress of the United States, as herewith transmitted.

Very respectfully,

W. B. CLOUD,  
Clerk of House.



HOUSE OF REPRESENTATIVES, }  
December 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed Senate bills—

For the relief of Jerry A. Guy, of Lee county ;

For the relief of Jno. W. Shepherd, Reporter of the Supreme Court ;

To provide for the change of and permanent location of the court house in Lawrence county ;

And amended and passed, as therein shown, Senate bills—

To amend an act to establish a new charter for the city of Selma, approved Dec. 4, 1868 ;

Relating to the places of meeting of the stockholders of the Alabama and Chattanooga Railroad company.

Very respectfully, W. B. CLOUD,  
Clerk of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }  
December 30, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following bill :

To define the bonndary line between the counties of Autauga and Dallas ;

Also, originated and adopted joint resolution, as herein shown.

W. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
December 30, 1868. }

*Mr. President :*

The House has passed Senate bill as follows :

To authorize the several counties and cities of the State of Alabama to subscribe to the capital stock of such railroads throughout the State, &c. ;

And passed, as amended, Senate bill—

To amend an act to incorporate the Sepulga River Manufacturing company of Conecuh county.

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 7 p. m.

## NIGHT SESSION.

Senate met pursuant to adjournment.

Senate concurred in the amendment of the House to the Senate bill,

To amend an act to incorporate the Sepulga river manufacturing company of Conecuh county.

On motion of Mr. Bromberg, the votes on the third reading and final passage of the House bill,

To amend and revise the charter of the Cahaba, Marion and Greensboro railroad company ;

Were reconsidered.

On motion of Mr. Bromberg, the Senate reconsidered the vote adopting his amendment to the 15th section.

On motion of Mr. Bromberg, said section was amended ;

Bill was read a third time and passed.

House bill—

To provide for the further survey of the Coosa river and the lands adjacent thereto ;

Was read twice.

On motion of Mr. Lambert, \$10,000 was stricken out and \$5,000 inserted.

On motion of Mr. Yordy, the bill was amended by adding after the word "dollars," "or so much thereof as is necessary."

Mr. Barr moved to amend as follows :

Strike out \$5,000 and insert \$3,333 ;

Mr. Sanford moved to amend said amendment by striking out \$5,000 and inserting \$500 ;

Which was laid on the table.

Mr. Barr's amendment was then adopted—yeas 14, nays 4.

Those who voted in the affirmative are, Messrs. Barr, Farden, Glass, Hinds, Johnston, Mabry, Mahan, McAfee, Martin, Oliver, Pennington, Sanford, Whitney and Wise—14.

Those who voted in the negative are, Messrs. Bromberg, Lambert, Worthy and Yordy—4.

Mr. Oliver moved to amend as follows :

SECTION 2. Be it further enacted, That a like sum be appropriated for the survey of the Cahaba and Warrior rivers ;

Which amendment was laid on the table.

Mr. McAfee moved to amend as follows :

That the provisions of this bill shall extend to the Choccolocco river, in the county of Talladega, by an appropriation of the additional sum of \$5,000 for this particular river ;

Which amendment was laid on the table—yeas 16, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Brom-

berg, Buckley, Farden, Glass, Lambert, Mabry, Martin, Pennington, Royal, Sibley, Stow, Whitney, Wise and Yordy—16.

Those who voted in the negative are, Messrs. Hays, Hinds, Johnston, Morton, McAfee, Oliver and Sanford—7.

Mr. Mahan moved to amend as follows:

That the provisions of this bill shall extend to Mahan creek, in Bibb county, and that the sum of five thousand dollars additional shall be appropriated for this purpose;

Which amendment was laid on the table—yeas 16, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hinds, Lambert, Martin, Pennington, Royal, Sibley, Stow, Whitney, Wise, Worthy and Yordy—16.

Those who voted in the negative are, Messrs. Hays, Johnston, Mabry, Mahan, McAfee, Oliver and Sanford—7.

Senate refused to suspend the constitutional rule to give the bill a third reading forthwith;

Bill was ordered to a third reading.

On motion of Mr. Bromberg, the Senate reconsidered the vote by which was lost, the House bill,

To establish the Mobile charitable association for the benefit of the school fund of Mobile county, &c. ;

When Mr. Bromberg moved to reconsider ;

Mr. Sibley moved to lay said motion on the table ;

Which motion was lost ;

Bill was read a third time and passed—yeas 13, nays 9.

Those who voted in the affirmative are, Messrs. Buckley, Farden, Glass, Hays, Hinds, Mabry, Mahan, Martin, Morton, Pennington, Royal, Sibley and Whitney—13.

Those who voted in the negative are, Messrs. Barr, Johnston, Lambert, McAfee, Oliver, Sanford, Wise, Worthy and Yordy—9.

House bill—

To regulate lotteries ;

Was read twice.

Mr. Pennington moved to strike out \$2,000 and insert \$500 as salary of the commissioners.

Mr. Sibley gave notice that he would move to reconsider the vote by which was passed the House bill, to establish the Mobile Charitable Association for the benefit of the school fund of Mobile county, &c.;

Pending the consideration of Mr. Pennington's amendment, Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, December 31, 1868.

Senate met pursuant to adjournment.

On the call of the roll, the following senators answered to their names :

Messrs. Barr, Bromberg, Farden, Hays, Hinds, Johnston, Lambert, Mabry, Mahan, McAfee, Morton, Oliver, Pennington, Sanford, Sibley, Worthy and Yordy—17.

Journal of yesterday was read and approved.

House bill—

To regulate lotteries came up on its second reading, the question pending, being Mr. Pennington's amendment offered last night ;

On motion of Mr. Hays, said amendment was laid on the table ;

Senate at first refused to suspend the constitutional rule to give the bill a third reading forthwith—yeas 11, nays 7.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Glass, Hays, Hinds, Johnston, Mabry, Martin, Pennington, Sibley and Stow—11.

Those who voted in the negative are, Messrs. Lambert, Mahan, McAfee, Oliver, Sanford, Worthy and Yordy—7.

Said vote was afterwards reconsidered ;

And the bill was read a third time and passed.

House bills—

Supplementary to an act to establish the seat of justice of Morgan county ;

For the consolidation of the Jacksonville and Rome railroad with other roads, &c. ;

To authorize the commissioners court of Walker county to issue bonds, &c. ;

To authorize Elizabeth Wilder, administratrix, to sell a certain piece of land ;

To extend ordinance No. 23, of the late constitutional convention ;

To allow Wash G. Cain to establish a ferry across the Tallapoosa river ;

To amend the charter of the Wetumpka Insurance company ;

In relation to the sessions of the circuit court of Jackson and DeKalb counties ;

To repeal sub-division of section 2871 of the Revised Code ;

Joint resolution, for the relief of Isaac Cohen ;

For the relief of Isaac Shannon ;

For the relief of E. G. Talbert, of Marengo county ,

For the relief of certain persons ;

For the relief of George S. Lanier ;

For the relief of C. B. Loper ;

For the relief of George F. Huckabee ;

For the relief of Thomas Hardy, guardian ;

To make Mrs. Matilda Danforth, of Barbour county, a free-dealer ;

To make Mrs. M. V. Smoot, of Talladega, a free-dealer ;

To make Mrs. Francis Ann Crabb, of Tallapoosa county, a free-dealer ;

To make Mrs. Elizabeth C. McKenzie, of Macon county, a free-dealer ;

To make Mrs. Rebecca Franklin, wife of Lewis Franklin, of Montgomery county, a free-dealer ;

To make Mrs. Elizabeth L. Lataste, a free-dealer ;

For the relief of E. B. Lott, tax collector of Mobile county ;

For the relief of Martha Ann Duke, of Washington county ;

To repeal sections 2680 and 4231 of the Revised Code ;

To amend an act to incorporate the Southern University, at Greensboro ;

To authorize the summoning of a jury in Coffee county ;

To authorize the commissioners' court of Limestone county to levy a tax and sell bonds, &c. ;

To confirm and make valid the acts, contracts, &c., of W. J. May of Pike county ;

Joint resolution to pay the superintendent of registration ;

Were severally read a third time and passed.

House bill—

To authorize the tax assessor of Marion county to assume the duties of sheriff ;

Was read three times and passed ;

Yeas 19, nays 3.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Glass, Hays, Hinds, Johnston, Jones, McAfee, Morton, Royal, Sanford, Sibley, Stow, Whitney, Wise, Worthy, Wyman and Yordy—19.

Those who voted in the negative are, Messrs. Lambert, Mabry and Mahan—3.

Senate joint resolution—

Relating to the Lincoln monument ;

Was taken up, and the blank filled with \$2,500, and adopted.

House bill—

In relation to county superintendents of education ;

Was read once and laid on the table—yeas 15, nays 2.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, King, Lambert, Mahan, McAfee, Oliver, Richards, Sanford, Sevier, Sibley, Stow, Wise, Worthy and Yordy—16.

Those who voted in the negative are, Messrs. Farden and Royal—2.

House bill—

To enable certain officers to collect their fees ;

Was read a third time and passed.

House joint resolution—

Relating to the pay of the members and officers of the General Assembly ;

House bills—

To amend an act to lay off and divide the State of Alabama into 12 judicial circuits, &c. ;

To allow J. H. West to practice physic in Henry county ;

To amend section 2934 of the Revised Code ;

To empower the Governor to remove certain county officers ;

To amend an act therein named ;

To enable owners to search for lost stock ;

To more particularly define the duties of county officers ;

To enlarge the jurisdiction of the courts of law in this State ;

Were severally read twice and laid on the table.

House bills—

To authorize the county treasurer of Wilcox county to pay a salary to the solicitor of said county ;

To legalize the election of D. C. Stapleton, to the offices of sheriff, tax collector and assessor of Baldwin county ;

Were severally read a second time and ordered to a third reading.

House bill—

For the relief of Peter J. Beech, of Washington county ;

Was read twice and laid on the table.

House bill—

For the relief of the estate of William Cameron of St. Clair county ;

Was read twice and ordered to a third reading.

Mr. McAfee, from the judiciary committee, reported favorably to the bill—

To enable the judges of the circuit courts to dispose of the business within the jurisdiction of their courts within the next twelve months ;

Which bill was read a third time and passed.

House bill—

To provide for a further survey of the Coosa river and the lands adjacent thereto ;

Was read a third time and passed—yeas 15, nays 7.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Farden, Glass, Hays, Hinds, Lambert, Martin, Morton, Pennington, Sibley, Stow, Whitney, Worthy and Yordy—15.

Those who voted in the negative are, Messrs. Johnston, Mahan, McAfee, Oliver, Royal and Sanford—7.

Mr. Hays introduced joint memorial to Congress in relation to the Cahaba and Warrior rivers ;

Which was read and adopted.

Mr. Worthy, from the select committee, submitted the following report, which was read and the committee discharged :

*Mr. President :*

The special committee to whom was referred the resolutions with reference to the right of senators on this floor to hold their seats ; also, to fill vacancies, beg leave to report—

1. That the seat of the senator from the first district is vacant by reason of the resignation of Senator Lentz.

2. That the senator from the 21st district has not been in his seat during the present session and is absent without leave, and therefore said seat should be declared vacant.

3. That the 26th and 27th senatorial districts, and perhaps others, are represented on this floor, one by a judge of probate of Choctaw county, and the other by the Mayor of the city of Demopolis.

4. That the 31st district has not been represented at all on this floor, nor has the Senate been advised of the resignation or the death of the senator elect—therefore, your committee are of opinion that this seat should be declared vacant.

5. Your committee would recommend to each senator to examine and decide as to the constitutional tenure by which he holds his office, and, if by fair legal construction, they do so in contravention of the constitution, they beg to express the hope that they will resign ; that the dignity of the Senate depends much upon the rightful holding of the seats of senators.

Respectfully submitted.

A. N. WORTHY,  
Chairman.

Message from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 31, 1868. }

*Mr. President:*

The House has passed Senate bills as follows:

To authorize religious societies to provide security by deed of trust;

To amend the new charter of the city of Demopolis;

To change the line between the counties of Russell and Barbour;

To allow judges of the circuit and city courts to hold a special term for the purpose of declaring void judgments and to grant new trials in certain cases;

To relieve the returning officers of the late election;

And originated and passed bills—

To regulate fees of justices and constables of Dallas, Lowndes, Wilcox, Sumpter, Madison and Macon counties;

To be entitled an act to amend an act incorporating the Alabama mining and manufacturing company;

And has passed Senate bills—

For the protection of plantations and lands against the depredations of stock in Lowndes county;

To amend an act for the relief of Lawson C. Coulson, late probate judge of Jackson county;

To incorporate the East Alabama Mutual Life Insurance Company;

And has originated and passed bills—

To repeal an act to incorporate the Mobile trade company;

Supplementary to an act to establish revenue laws for the State of Alabama.

The House has passed Senate bills as follows:

Authorizing Attoway R. Davis, late genneral administrator of Greene county, to appear in the probate court of said county to make settlement, &c.;

To amend the charter of the City Savings Association of Mobile;

To repeal an act entitled an act to appoint an additional surveyor for the county of Jackson;

And has originated and passed joint resolution,

In relation to defraying the expenses of registration.

Very respectfully,

W. B. CLOUD,  
Clerk of the House.

Senate adjourned till 7 o'clock P. M.



## NIGHT SESSION.

Senate met pursuant to adjournment.

Mr. Pennington introduced joint resolution to raise a joint committee to notify the Governor that the two Houses of the General Assembly have agreed to adjourn *sine die* at 12 o'clock, to-night;

Which was read and adopted.

Mr. Pennington was appointed the committee on the part of the Senate.

House bill—

Supplemental to an act to establish revenue laws for the State of Alabama;

Was read twice.

Mr. Sibley moved to amend by two additional sections, which was adopted;

Which bill was read a third time and passed.

Senate concurred in the amendment of the House to the Senate bill,

In relation to meetings of the stockholders of the Alabama and Chattanooga Railroad Company.

House bill—

To amend section 962 of the Revised Code;

As amended by the Senate, was read a third time and passed.

Mr. Sanford, from the committee on municipal and county organizations, reported a substitute for the bill,

To establish a new county to be called "Grant;"

Which substitute was adopted.

Senate refused to suspend the Constitutional rule to give the bill a third reading forthwith;

Also, from the same committee, reported favorably to the bill,

To amend article 1, chapter 1, title 5, of the Revised Code of Alabama;

Which bill was laid on the table;

House bill—

To define the duties of probate judges;

Which was read once and laid on the table.

House bill—

To amend section 2339 of the Revised Code;

Was taken from the table,

Mr. McAfee moved to lay the bill on the table, which motion was lost—yeas 7, nays 11.

Those who voted in the affirmative are, Messrs. Buckley, Hays, Mabry, McAfee, Oliver, Sanford and Worthy—7.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, Hinds, Lambert, Pennington, Royal, Sibley, Stow, Whitney and Yordy—11.

Senate refused to suspend the constitutional rule, to give the bill a third reading forthwith.

House joint resolution—

In relation to the pay of the members and officers of the General Assembly ;

Was taken from the table ;

Mr. Farden moved to strike out section two ;

Resolution was indefinitely postponed.

House bill—

Supplemental to the corporation laws of Alabama ;

Was read three times and passed.

Senate concurred in the amendment of the House to the Senate bill, to amend the new charter of the city of Selma.

Mr. Sanford introduced the following resolution ;

Which was read and adopted :

*Resolved*, That the thanks of the Senate be, and are hereby tendered to the Hon. A. J. Applegate, Lieutenant Governor of Alabama, for the able and impartial manner in which he has discharged the difficult and delicate duties of his position as president of the Senate.

House bill—

To confirm and make valid the official acts of S. S. Gardner, judge of probate of Butler county, &c.;

Was read twice ;

Mr. Worthy moved to lay the bill on the table ;

Which motion was lost—yeas 7, nays 10.

Those who voted in the affirmative are, Messrs. Bromberg, Buckley, Mabry, McAfee, Oliver, Sanford and Worthy—7.

Those who voted in the negative are, Messrs. Barr, Farden, Glass, Hays, Lambert, Morton, Pennington, Sibley, Stow and Yordy—10.

Mr. Worthy moved to indefinitely postpone the bill ;

Which motion was lost ;

On motion of Mr. Worthy, the bill was so amended as to apply only to the acts done and performed by judge Gardner up to this time, and no further ;

Bill was read a third time and passed—yeas 15, nays 5.

Those who voted in the affirmative are, Messrs. Barr, Bromberg, Buckley, Farden, Glass, Hays, Hinds, Lambert, Morton, Pennington, Sanford, Sibley, Stow, Whitney and Yordy—15.

Those who voted in the negative are, Messrs. Mabry, McAfee, Oliver, Royal and Worthy—5.

Mr. Whitney offered the following resolution ; which was adopted :

*Resolved*, That the Secretary of the Senate was tully authorized to employ additional assistance since Friday last, 25th instant, in order to bring up the engrossing and enrolling of the bills for the Senate.

Mr. Pennington introduced a joint resolution providing that the two Houses of the General Assembly adjourn *sine die* at 10 o'clock to-night ;

Which was read and adopted.

House bill—

To authorize J. W. Armstrong to establish a ferry on the Alabama river ;

Was read twice.

Senate refused to suspend the constitutional rule, to give the bill a third reading, forthwith—yeas 9, nays 8.

Those who voted in the affirmative are, Messrs. Hays, Hinds, Johnston, Lambert, Mabry, Mahan, McAfee, Stow, Worthy, Wyman and Yordy—9.

Those who voted in the negative are, Messrs. Bromberg, Farden, Glass, Morton, Oliver, Pennington, Richards, Sanford, Sibley and Whitney—8.

Senate concurred in the amendment of the House to the Senate bill—

To enable the judges of circuit courts to dispose of the business of their courts within the next twelve months.

House bill—

To repeal an act to incorporate the Mobile Trade company,  
Was read twice.

On motion of Mr. Farden,

The bill was laid on the table ;

Yeas 11, nays 7.

Those who voted in the affirmative are, Messrs. Buckley, Farden, Glass, Hays, Johnston, Lambert, Mahan, Morton, Sanford, Whitney and Wyman—11.

Those who voted in the negative are, Messrs. Bromberg, Mabry, McAfee, Oliver, Sibley, Stow and Yordy—7.

Senate concurred in the amendment of the House to the Senate amendment to the House bill—

Supplemental to an act to establish revenue laws of the State of Alabama.

House bill—

To repeal an act to regulate the appointment of overseers and supervisors of public roads in the county of Henry.

anHouse bill—

To regulate fees of justices and constables of Dallas, Lowdnes, Wilcox, Sumter, Madison and Macon counties ;

Was read and laid on the table.

House bill—

To make Mrs. Eliza A. C. Morgan, of Barbour county, a free dealer ;

Was read three times and passed.

Messages from the House as follows :

HOUSE OF REPRESENTATIVES, }  
December 31, 1868. }

*Mr. President :*

I am directed by the House to inform the Senate of its having passed the following Senate bills :

For the relief of A. B. Faver, and others ;

For the relief of Turner Wood, of Jackson county ;

To incorporate the trustees of the Spring Hill Baptist Church, and the Spring Hill Academy.

Very respectfully,

WM. B. CLOUD,  
Clerk of House.

HOUSE OF REPRESENTATIVES, }  
December 31, 1868. }

*Mr. President :*

The House has concurred in Senate amendments to House bills :

To make Mrs. Rachel Marks, wife of Jacob Marks, a free dealer ;

To make Mrs. Elizabeth Jane Edwards, wife of Thomas Edwards, a free dealer.

And has concurred in the amendment to House bills :

To provide for the payment of the interest due on the school fund ;

To provide for the further survey of Coosa river ;

To amend section 962 of the Revised Code.

The House has adopted Senate joint memorial to the Congress of the United States ;

And has concurred in Senate amendments to House bill amending the revenue laws, and further amended, as therein shown.

W. B. CLOUD, Clerk.

HOUSE OF REPRESENTATIVES, }  
December 3, 1868. }

*Mr. President—*

I am directed by the House to inform the Senate of its having passed the following Senate bill :

To provide compensation for copying the journals of the two Houses of the General Assembly, &c. ;

And adopted Senate joint resolutions in relation to appointing a joint committee to wait on his Excellency the Governor ;

House committee, Messrs. Strobach and Ronayne ;

Also, of its having amended and passed Senate bill,

To be entitled “an act to enable the judges of the circuit courts to dispose of all business within the jurisdiction of such courts within the next twelve months ;”

Also, of its having originated and passed bill entitled as follows :

To declare vacant seats of the members of the board of education for the 2d Congressional District ;

To increase the fees of the sheriff of Chambers county.

Very respectfully,

W. B. CLOUD,

Clerk of the House.

At 10½ o'clock, the President declared the Senate adjourned *sine die*, to meet again on the third Monday in November, 1869.

A. J. APPLEGATE,

President of Senate.

Attest :

M. P. BLUE,

Secretary of Senate.

# House Bills and Joint Resolutions

Not Considered in the Senate at the November Session, 1868.

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To abolish fencing in Lowndes county ;

To increase the fees of the sheriff of Chambers county ;

For the relief of Mrs. Eliza A. Smoot, of Talladega county ;

To declare vacant the seats of the members of the board of education for the second Congressional district, and to empower the Governor to order an election to fill said vacancies ;

For the protection of prisoners of Hale county ;

For the relief of Enoch Riley of Monroe county, a guardian ;

To relieve C. P. Simmons, of Franklin county, from conviction under certain indictments now pending against him in Franklin county ;

For the relief of William H. Farris, of the county of Franklin ;

To amend section 2345 of the Revised Code ;

To amend section 4340 of the Revised Code of Alabama ;

To amend section 3866 of the Revised Code ;

To amend section 3578 of the Revised Code of Alabama ;

To amend section 3326 of the Revised Code of Alabama ;

To amend section 2357 of the Revised Code of Alabama ;

To amend section 841 of the Revised Code of Alabama ;

To amend section 2776 of the Revised Code of Alabama ;

To repeal certain sections of the Revised Code, (3489, 3490, 3491, 3493, 3494, 3500 and 3501), and to regulate appeals, &c.;

To authorize the commissioners court of Tuskaloosa county to issue bonds, and for other purposes ;

Increasing the fees of the county officers of Clarke county ;

Annexing the duties of the clerk of the circuit court of Clarke county to those of judge of probate ;

To authorize the distributees of estate of Thomas M. Cowles to make title to certain lands ;

To compel Samuel M. Stinson, late tax collector of Colbert county, to make settlement with commissioners court of Franklin county ;

To prevent the killing of game in certain seasons, in the counties of Wilcox and Randolph ;

To amend the charter of the Alabama manufacturing company at Selma, adopted February 8, 1868 ;

To prevent the sacrifice of real estate ;

For the revision of claims upon which judgments were rendered between the 11th day of January, 1861, and the 20th day of July, 1865 ;

To regulate the fees of sheriffs and commissioners in the apportionment of widow's dower ;

To extend the time for collecting the taxes of Henry county ;

To provide for the sale of land and other property of insolvent debtors ;

To empower the commissioners court of Marshall county to issue bonds, and for other purposes ;

Requiring executors and administrators to sue in certain cases, and providing for an equal distribution of assets of estates of insolvents ;

To extend the time in which executors and administrators must make final settlements in certain cases.

# House Bills and Joint Resolutions,

Lost in the Senate at the November Session, 1868.

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INDEFINITELY POSTPONED.

- To amend section 3724 of the Revised Code ;
- To prevent the fraudulent disposal of mortgaged property ;
- To continue the city court of Montgomery ;
- To provide for holding the probate court of Butler county in the city of Montgomery ;
- To amend and revise an act entitled " An act to loan and appropriate the three per cent fund and its interest," approved February 18, 1860 ;
- For the relief of Georgianna C. Adkinson ;
- To regulate vendors' liens ;
- To authorize the probate courts to render decrees for purchase money in certain cases ;
- To protect fruits, vegetables and other crops from depredations and destruction ;
- To authorize William Falconer of Montgomery county to qualify and give bond as tax collector of said county ;
- Joint resolution in relation to appointing a joint committee to examine certain lands in the town of Talladega ;
- A bill to declare Paul Inge and Silas Morpew, liners, citizens of Winston county ;
- To change the boundaries between the counties of Butler and Conecuh ;
- To allow the county commissioners of Hale county twelve months further time in which to finish the county jail for said county, and for other purposes ;
- To prevent vexatious bidding at public sales ;
- To give the probate court of Wilcox county jurisdiction of the estate of Madison C. Parker, deceased ;
- For the relief of Mrs. Francis Bryan ;



For the relief of C. C. Allison of the county of Lauderdale ;

To require security for costs in certain cases ;

To amend an act entitled "An act to extend the time in which to open judgments, and grant new trials in certain cases ;"

To provide for the execution of the laws of this State ;

To authorize the probate judge of Franklin county to hold monthly terms of the probate and county court in the town of Tuscumbia, in said county ;

To amend an act entitled "An act to incorporate the Cahaba Coal Company of Alabama, and for other purposes ;"

To authorize the court of county commissioners of the counties of Lee, Tallapoosa, Coosa, Talldega, Jefferson, Walker, Winston, Lawrence and Franklin, to subscribe to the capital stock of the Savannah and Memphis Railroad, and for other purposes therein named ;

Joint resolution in relation to obstructions in Mobile Bay and for other purposes ;

Joint resolution in regard to taking a recess ;

Joint resolution in relation to printing the new Constitution and Ordinances with the acts ;

Joint resolution in relation to national aid for removing obstructions in the Tennessee river at Muscle Shoals ;

Joint resolution relating to report of joint committee to visit deaf, dumb and blind institution at Talladega and the insane hospital.

Joint resolution to the Governor to appoint three lawyers, whose duty it shall be to examine the Revised Code and laws of Alabama ;

Joint resolution in relation to the *per diem* of the members and officers of the General Assembly, &c.

#### LAI D ON THE TABLE.

To amend section 536 of the Revised Code of Alabama ;

To amend section 2225 of the Revised Code of Alabama ;

To amend section 2934 of the Revised Code of Alabama ;

To amend section 4053 of the Revised Code of Alabama ;

To repeal an act therein named ;

To relieve Peter J. Beach, of Washington county ;

To relieve Fernando B. Poe of the disabilities of minority ;

For the relief of William G. Gunter, of Blount county ;

For the relief of George P. Kinsey, of Henry county ;

For the relief W. B. Hammett, of Talladega county ;

For the relief of John McLean, of Jones county ;

For the relief H. A. Creamer and Elizabeth Creamer, of Covington county ;

For the relief of the tax assessor of Conecuh county ;

For the relief of certain persons therein named (tax assessor and tax collector of Tuscaloosa county ;)

To relieve certain practicing attorneys at law and for other purposes ;

To allow J. H. West to practice physic in the county of Henry ;

To authorize James Simpson, of St. Clair county, to practice medicine and to charge therefor ;

To authorize the employment of servants for the capitol and State offices ;

To authorize the probate judge of Russell county to remove his office ;

To enable owners to search for lost stock ;

To amend an act therein named ;

To empower the Governor to remove certain county officers ;

To amend an act entitled "an act to lay off and divide the State into twelve judicial circuits and fix the time of holding the courts therein," approved February 19th, 1867 ;

In relation to county superintendents of education ;

To make it the duty of the Auditor to issue warrants in certain cases ;

To repeal an act to incorporate the Mobile trade company ;

To repeal an act to regulate the appointment of overseers and supervisors of public roads in the county of Henry ;

To regulate fees of justices and constables of Dallas, Lowndes, Wilcox, Sumpter, Madison and Macon ;

To define the duties of probate judges ;

To enlarge the jurisdiction of the courts of law in this State ;

To more particularly define the duties of county officers ;

To provide for the removal of the jurisdiction of estates of decedents and minors of Bullock county ;

To amend the charter of the Alabama Mutual Life Insurance Company of Selma, Alabama ;

Concerning insolvent estates ;

To protect the estates of minors and deceased persons in the State of Alabama ;

To regulate trade upon the street cars in the city of Mobile ;

To secure mechanics' and laborers' liens ;

To make Mrs. Elizabeth Ann Reid, of the county of Lee, a free dealer ;

To declare N. M. Daniel a citizen of Clay county ;

Conferring the jurisdiction of contracts for labor upon judges of probate ;

Supplementary to "an act fixing the time of meeting of the General Assembly," approved July 23, 1868 ;

To empower the probate judge of Elnore county to issue search warrants ;

To require the tax collectors to pay over to the treasury ;

To regulate judicial proceedings ;

To ratify and confirm an election held for justices of the peace and constables in the several wards of the city of Mobile ;

To establish laws for the State ;

To define presumptions of law in certain cases ;

To secure the collection of fees and costs ;

To amend an act entitled "an act to allow Charles M. Cabot and Thomas C. Smith to establish a ferry across the Tallapoosa river ;"

To lay off the county of Coosa into four commissioners districts ;

To have printed ten thousand copies of the report of the commissioner of immigration ;

A proposition of John Hardy to execute the public printing.

To amend an act to lay off and divide the State of Alabama into twelve judicial circuits and fix the time of holding the courts therein, approved February 19, 1867 ;

To regulate and fix the time of holding the city court of Montgomery ;

To regulate sales of property under legal process in this State ;

To extend the jurisdiction of justices of the peace in Hale county ;

For the registration of the qualified electors of the State of Alabama ;

Joint resolution fixing the pay of members and officers of the Legislature ;

Joint resolution authorizing the appointment of an additional member of the committee to examine the Revised Code ;

Joint resolution in relation to appointment of a joint committee to enquire what legislation is necessary to harmonize existing laws with the Constitution ;

Joint resolution in relation to the appointment of a joint committee on the removal of political disabilities.

ADVERSE REPORTS CONCURRED IN.

To amend section 1998 of the Revised Code of Alabama ;  
 To amend section 2131 of the Revised Code of Alabama ;  
 To amend section 2877 of the Revised Code of Alabama ;  
 To repeal an act entitled " An act to amend sections 3, 8 and 13 of an act in reference to the chancery courts of Alabama ;

To authorize the auditor of the State of Alabama to furnish each county in the State with such books and assessment lists as shall be necessary for the use of each tax assessor and collector in each county in the State ;

Authorizing parol testimony in certain cases ;

To authorize judges of probate to make amendments *nunc pro tunc* ;

To authorize the city council of Montgomery to establish a work house, &c. ;

To authorize a new trial in a certain case therein named ;

To authorize James H. Jarrett to practice medicine and charge for the same ;

For the relief of Reddin Garrison and Saliva E. Crompton, of Winston county ;

For the relief of the poor of the State of Alabama ;

For the relief of Marion Abercrombie, of Montgomery county ;

For the relief of John B. Billingsley, of Blount county ;

For the relief of Andrew Smith, of Madison county ;

For the relief of defendants in certain judgments and decrees ;

For the Relief of certain judgment defendants ;

For the relief of John L. Tate as administrator of Joseph Hough, deceased ;

To extend time to executors, administrators, &c. ;

To remove the administration of the estate of William F. Poole, deceased, and the guardianship of Cecelia J. Poole, Mary E. Poole and Eliza Poole from Russell county to Coffee county ;

To abolish the office of solicitor of judicial circuits, and to prescribe the duties of county solicitors ;

To establish a medical board in Lawrence county ;

To invest Edmund Andrews with the legal title to certain real estate in the city of Mobile ;

To make valid a marriage solemnized between Edmund Andrews and Mary Strimple, otherwise called Mary Reynolds ;

To provide for the working of public roads in the State of Alabama.

# BILLS, JOINT RESOLUTIONS, &C.

Introduced in the Senate at November Session, 1868.

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BARR, Mr.—Introduced bills and joint resolutions, as follows :

Nov. 11. Communication from the War Department at Washington City. Referred.

Nov. 17. For the relief of debtors and for the adjustment of debts upon principles of equity. Printed, but not further considered.

Nov. 25. To amend section 2351 of the Revised Code. Lost in hands of committee.

Nov. 25. To confer equity jurisdiction upon the circuit courts of Alabama. Passed, Dec. 10.

Nov. 25. To provide for the adjustment of and payment of claims against the State of Alabama. Lost by concurrence in adverse report, Dec. 14.

Dec. 4. To carry into effect paragraph 26, article 1, of the constitution of Alabama. Passed.

Dec. 8. Joint resolutions in relation to aid from Congress for the improvement of the Tennessee river. Passed, Dec. 9.

Dec. 9. To provide adequate compensation to the clerk of the Supreme Court. Tabled, Dec. 18.

Dec. 14. To amend section 3079 of the Revised Code. Lost in hands of committee.

Dec. 14. To amend an act to amend sections 3, 8 and 13 of an act entitled an act in relation to the chancery courts of Alabama. Passed.

Dec. 14. Relating to the great seal of Alabama. Passed, Dec. 23.

Dec. 17. To incorporate the town of Montrose, in Baldwin county. Passed.

Dec. 21. To amend section 1986 of the Revised Code. Lost in hands of committee.

Dec. 28. To amend an act to establish a new charter for the city of Selma. Passed.

Dec. 28. Relating to the places of meeting of the stockholders of the Alabama and Chattanooga Railroad company. Passed.

BROMBERG, Mr.—Introduced bills and joint resolutions, as follows :

Nov. 11. To change the jurisdiction of the city court of Mobile. Passed, Nov. 14.

Nov. 11. For the more effectual enforcement of the criminal laws and ordinances of the city of Mobile. Passed.

Nov. 11. Memorial from the harbor masters and port wardens of Mobile. Select committee reported a bill, Dec. 11.

Nov. 11. For the relief of E. B. Lott, tax collector of Mobile county. Passed.

Nov. 11. Memorials of Edward Brown and Bryant Wood. Referred to joint committee on outrages.

Dec. 16. To preserve liens of judgments in cases of new trials granted by ordinance passed Dec. 6, 1867, &c. Indefinitely postponed, Dec. 11.

Nov. 20. To amend an act to authorize the Mobile and Great Northern railroad company and the Alabama and Florida railroad company of Alabama, to consolidate, &c. Amended and passed.

Nov. 20. To authorize the formation of boards of trade in the several cities of this State. Passed, Nov. 21.

November 23. Joint resolution in relation to national aid for works of internal improvement in the State of Alabama. Passed.

December 9. To amend the charter of the Washington, Fire and Marine Insurance company of Mobile. Passed.

December 9. For the relief of the widow and children of Henry Blau, otherwise called Carl Theodore Hermon. Lost in hands of committee.

December 9. To amend section 491 of the Revised Code. Lost in hands of committee.

December 9. To amend the charter of the City Savings Association of Mobile. Passed, December 29.

December 11. Reported a bill to regulate vessels entering the bay and harbor of Mobile. Passed.

December 14. Petition of the Mayor, Aldermen and councilmen of the city of Mobile. Reported against petition.

December 21. To allow compensation to counsel assigned to defend persons who are unable to employ counsel in the city court of Mobile, and in Greene and Pickens counties. Passed.

December 23. To prescribe the oath to certain officers. Tabled.

December 24. To amend the law of succession. Lost in hands of committee.

BUCKLEY, Mr.—Introduced bills as follows :

December 14. For the protection of plantations and lands from depredations of stock in Lowndes county. Amended and passed, December 17.

December 14. To extend the time for the collection of the taxes for 1867, in Lowndes county. Passed, December 16.

December 17. To prevent hunting on cultivated lands and enclosed fields. Lost in hands of committee.

FARDEN, Mr.—Introduced bills and joint resolutions, as follows :

November 10. To amend the corporation laws of Alabama—amended. Passed, November 14.

November 10. To authorize the probate judge of Choctaw county to levy the county tax for 1868, &c. Lost by concurrence in adverse report, November 16.

November 10. To grant new trials in certain cases.

November 10. For the more efficient execution of legal process. Amended, and passed, November 14.

November 14. Reported a bill in relation to the improvement of the Coosa, Cahaba and Warrior rivers. Made special order, but not considered.

November 16. To authorize the Georgia Western railroad company to extend and construct their road from the Georgia line to the town of Decatur, on the Tennessee river. Amended and passed, November 20.

November 16. To aid in the improvement and opening of the Cahaba river to navigation—amended. Lost on third reading, December 8. Reconsidered, amended and finally lost on third reading, December 29.

November 25. To authorize Absalom Jackson, of Elmore county, to sell certain lands, &c. Passed, December 8.

November 25. To amend section 7 of an act to incorporate a toll bridge over the Coosa river at Wetumpka.



November 29. To amend "an act to loan and appropriate the three per cent. fund and its interest," and repeal certain parts thereof.

November 30. Joint resolution providing for a joint committee to select a new site for the capitol of this State. Tabled.

November 30. To provide for an election to fill vacancies. Ordered to a second reading.

December 9. To change the county seat of Autauga county. Passed December 10.

December 9. To grant new trials to Daniel Wardsworth, of Autauga county. Passed December 23.

December 9. To adopt and put in full force the Civil Code of 1852 and the Penal Code of 1865--66. Lost in hands of committee.

December 9. To define the duties of justices of the peace. Lost in hands of committee.

December 9. To repeal an act to continue in force certain laws, approved July 29, 1868. Lost in hands of committee.

December 9. Joint resolution to appoint a committee to receive applications for relief from disabilities. Tabled.

December 14. To authorize the Governor to endorse the bonds of the Montgomery and Eufaula Railroad Company, under act of January 17, 1866. Amended and passed December 24.

December 14. To appoint a commissioner to revise and codify the Revised Code of Alabama. Ordered to second reading.

December 17. To amend the judgments, orders, decrees, &c., issued from the courts of this State from January 11th, 1861, to the 25th of May, 1865. Lost in hands of committee.

December 17. To confer additional powers on the town authorities of Prattville. Lost in hands of committee.

December 21. To aid the Montgomery and West Point Railroad. Tabled, afterwards taken from the table and adopted as a substitute for Mr. Pennington's bill. Bill indefinitely postponed, December 22.

December 28. Supplementary to an act fixing the time of the annual meeting of the General Assembly. Passed.

December 28. Supplemental to an act to establish revenue laws for the State of Alabama. Tabled.

Mr. FOSTER introduced bills as follows:

November 23. For the protection of married women and

minors. Lost by concurrence in adverse report, December 10th.

November 25. To repeal section 2 of Ordinance No. 5, of the convention adopted September 21, 1865. Passed December 18.

November 30. To extend the time for the collection of taxes in Choctaw county. Passed December 5.

November 30. For the relief of defendants in judgments rendered by judges disqualified by law. Lost by concurrence in adverse report, December 14.

December 9. To incorporate the town of Pickensville. Ordered to second reading.

December 14. To amend section 1929 of the Revised Code. Lost in hands of committee.

December 14. To amend section 2678 of the Revised Code. Lost in hands of committee.

December 14. For the relief of the estate of F. L. Denson, deceased, late of Choctaw county. Passed.

December 17. For the relief of the Secretary of Senate and Clerk of the House of Representatives. Amended and passed.

GLASS, Mr.—Introduced bills as follows :

November 30. To authorize the town authorities of Tuskegee to levy and collect a railroad tax, &c. Tabled.

December 9. For the relief of W. G. Campbell. Lost in hands of committee.

December 14. To amend the Macon County Railroad Charter. Passed December 22.

HAYS, Mr.—Introduced bills and joint resolutions as follows :

November 11. For the relief of H. A. Cooper of Tuscaloosa county. Passed November 13.

November 11. For the protection of mortgagee and *cestui que trusts*. Passed November 16.

November 11. To extend the time for the collection of taxes in Greene county. Amended and passed.

November 20. In relation to the enclosures of stock in Greene county. Passed.

November 20. To repeal "an act to authorize persons to keep and use skiffs and other water crafts therein named, for carrying foot passengers across the Black Warrior river, opposite the city of Tuscaloosa." Passed December 18.

To define the commissions on sales of registers in chancery. Passed December 5.

November 23. Joint resolution authorizing the Governor to offer reward for certain assassins. Passed.

November 25. To authorize the court of probate of Pickens county to issue certain letters of administration. Passed.

December 4. To declare void certain judgments and to grant new trials in certain cases. Passed.

December 9. For the relief of the county commissioners of Hale county. Passed.

December 9. To amend an act incorporating the Alabama Mining and Manufacturing Company. Amended and passed December 22.

December 9. To facilitate repairs on the public roads and highways of this State. Lost in hands of committee.

December 14. Authorizing probate judges to declare free dealers. Lost in hands of committee.

December 14. To incorporate the town of Eutaw. Passed.

December 14. To change the time of holding the fall term of the chancery court of Greene county. Passed.

December 14. Supplemental to an act for the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages. Substitute adopted and passed, December 28.

December 17. For the relief of Mary Goings. Lost in hands of committee.

December 21. To repeal the charter of the Mobile Trade Company. Lost in hands of committee.

December 21. To regulate charges for transportation on railroads in this State. Lost in hands of committee.

Dec. 21. To establish the Mobile Charitable Association, for the benefit of the common school fund of Mobile county. Indefinitely postponed.

Dec. 23. To provide for carrying out article 11, section 11, of the Constitution. Passed.

Dec. 24. To amend an act to exempt real and personal property from levy and sale. Lost in hands of committee.

Dec. 24. For the protection of sheriffs, marshals and constables, &c. Lost in hands of committee.

Dec. 28. To authorize C. Brett, of Sumter county, to sell liquors, &c. Ordered to third reading.

December 28. Joint resolutions proposing a joint committee of the two Houses of the General Assembly, to superintend a revision of the laws of Alabama. Tabled.

December 29. Reported joint resolutions proposing a com-

mission in Alabama to co-operate with the National Lincoln Monument Association. Amended and adopted, December 31.

December 31. Joint memorial to Congress in relation to the Cahaba and Warrior rivers. Adopted.

HINDS, Mr.—Introduced bills and joint resolutions, as follows :

November 21. To prevent marauding and depredations on the lands of others by parties with dogs and guns. Indefinitely postponed, December 10.

November 25. To regulate the official printing of the probate courts of the counties of Blount, Marion, Walker, Winston and Choctaw. Passed, December 5.

November 30. To repeal an act therein named. Ordered to second reading.

November 30. To encourage the payment of taxes. Ordered to second reading.

November 30. Relating to the militia. Ordered to second reading.

November 30. Joint resolutions for a joint committee to investigate the present condition of the two and three per cent. funds. Adopted, December 4.

December 9. For the relief of the securities of James Blevins, administrator of the estate of Josiah Blevins. Ordered to second reading.

December 14. To create a new county from portions of Lawrence, Limestone, Morgan and Winston, and for other purposes. Referred.

December 23. To change the seat of justice of Morgan county. Passed.

JOHNSTON, Mr.—Introduced bills, as follows :

November 20. In relation to the assessment and collection of taxes in Tuscaloosa county. Substitute reported and tabled, December 16.

December 14. To establish a chancery court for Hale county. Passed.

December 14. For the relief of A. B. Faver, and others. Passed, December 29.

JONES, Mr.—Introduced bills as follows:

November 20. To amend section 3016 of the Revised Code. Passed Dec. 5.

November 20. To incorporate the Selma and Memphis Railroad Company. Lost in hands of committee.

November 20. To incorporate the Middle Alabama Railroad Company. Amended and tabled December 7.

November 20. To amend section 8 of an act to incorporate the New Orleans and Selma Railroad Company, approved February 23, 1866. Lost by concurrence in adverse report, December 10.

November 20. Authorizing the consolidation of railroad companies in the State of Alabama. Lost by concurrence in adverse report, December 10.

November 20. Memorial of R. M. Robertson, of the New Orleans and Selma Railroad Company. Lost in hands of committee.

November 25. To authorize the tax collector of the city of Demopolis to collect the taxes of said city. Passed.

November 30. To authorize and instruct the commissioners' court of Greene county to remove the court house of said county from Eutaw to Hays' Mount. Lost in hands of committee.

December 4. To change the name of Fannie Roby to Fannie Roby Jones. Passed.

December 17. To authorize the commissioners' court of Washington county to locate the county site of said county. Passed December 18.

December 23. Reported a bill to make an appropriation for the publication and distribution of a geological and agricultural report of the resources of the State of Alabama. Indefinitely postponed.

December 24. To amend the 6th section of the new charter of the city of Demopolis. Passed.

KING, Mr.—Introduced bills and joint resolutions as follows :

November 30. For the relief of certain parties pardoned by proclamation of Governor Patton, under date of 13th February, 1866. Passed.

December 9. Joint resolution providing for adjournment *sine die*. Amended and adopted.

LAMBERT, Mr.—Introduced bills and joint resolutions, as follows :

November 10. For the relief of the sheriff of Coosa county. Passed.

November 21. Joint resolution providing for a joint com-

mittee to consider relative to the jurisdiction of notaries public, &c. Adopted.

December 4. To confer authority on probate courts to make free-dealers. Lost by concurrence in adverse report, December 14.

December 4. To establish a home for certain destitute widows and orphans. Lost by concurrence in adverse report, December 29.

December 17. To secure an election in the county of Franklin, for the purpose of determining a site for the court house of said county. Lost in hands of committee.

December 17. Joint resolution, proposing that the General Assembly adjourn *sine die* on Saturday, the 19th instant, at 2 P. M.

December 24. To aid and encourage the manufacture of iron, and the construction of railroads in the State of Alabama. Lost in the hands of committee.

December 28. For the relief of returning officers of elections and county registrars. Passed.

LENTZ, Mr.—Introduced bills, as follows :

November 9. To repeal an act therein named. Ordered to second reading.

November 9. To aid in developing the resources of Alabama—amended. Passed November 11.

November 10. To amend the 6th sub-division of section 711 of the Revised Code. Lost by concurrence in adverse report, November 27.

MABRY, Mr.—Introduced bills and joint resolutions, as follows :

November 10. To repeal section 3939 of the Revised Code, and for other purposes. Amended, and passed November 13.

November 10. Joint resolutions to alter and amend the the constitution of Alabama. Amended and tabled.

November 12. To authorize the coroner of Barbour county to appoint a deputy coroner. Passed.

November 16. For the protection of practicing physicians in this State. Lost by concurrence in adverse report, December 10.

November 21. For the relief of John D. West, of Bullock county. Passed.

November 25. For the relief of Mary West, of Barbour county. Amended and passed, December 8.

November 30. To constitute Susannah M. McNair and others therein named, free-dealers. Passed.

December 9. For the relief of Herbert Pearson, late tax collector of Barbour county, and his sureties on his official bond. Passed December 16.

December 9. To amend section 2669 of the Revised Code. Lost in the hands of committee.

December 9. For the relief of Emily Laird. Amended and passed.

December 14. Requiring the Secretary of State to furnish county solicitors with certain books. Lost in hands of committee.

December 14. To amend an act to incorporate the Sepulgah river manufacturing company, of Conecuh county. Passed December 22.

December 17. To incorporate the Phoenix Fire company, No. 2, of Eufaula. Passed.

December 24. Requiring certain officers to reside within five miles of the court house. Lost in hands of committee.

MAHAN, Mr.—Introduced bills as follows :

November 12. To repeal an act to prohibit the sale of spirituous liquors in Shelby county. Lost in hands of committee.

November 16. For the relief of Emily J. Rottenberry, of Bibb county. Lost in hands of committee.

November 21. For the relief of Walter D. Wilson, of Bibb county. Passed.

December 4. For the relief of Lucinda Ellinger, of Bibb county. Passed December 12.

December 9. To repeal an act to prevent the sale of spirituous liquors within one mile of Elliottsville, in Shelby county. Ordered to second reading.

December 9. To repeal an act to prevent the sale of spirituous liquors within one mile of Mulberry academy, in Bibb county, approved November 29, 1861. Ordered to second reading.

McAFEE, Mr.—Introduced bills, as follows :

November 10. To amend an act to incorporate the North East and South West Alabama Railroad Company, approved December 12, 1853. Amended and passed November 14.

November 12. To re-enact and perpetuate the statute laws of exemption. Tabled.

November 23. Reported bills as follows :

For the suppression of secret organizations of men disguising themselves for the purpose of committing crimes and outrages. Substitute adopted and passed December 1st.

November 23. To suppress murder, lynching and assaults and batteries. Amended and passed December 4.

November 30. To develop the agricultural and mineral resources of Alabama and to raise funds in aid of the common school system of the State. Lost in the hands of committee.

December 4. To repeal an act to change the time of holding the circuit court of Coosa and Tallapoosa counties, approved August 11, 1868. Passed.

December 14. To incorporate the town of Millersville, in Talladega county. Ordered to a third reading.

December 17. To declare a certain act a larceny, and to define the punishment of the same. Lost in hands of committee.

December 19. To amend an act entitled "an act to amend and enlarge the chartered powers of the town of Talladega, and to define the same with greater certainty," approved January 12, 1854. Passed.

December 21. To allow compensation to attorneys who are assigned as counsel to defend pauper criminals. Tabled.

December 28. To authorize judges of the circuit and city courts to hold a special term to declare void certain judgments and grant new trials in certain cases. Passed.

MARTIN, Mr.—Introduced bills as follows:

December 4. To require the Governor to issue his proclamation requiring the sheriff of Russell county to cause the records of said county to be removed to Girard, Alabama. Lost by concurrence in adverse report, December 18.

December 9. To amend an act supplementary to an act to change the county seat of Russell county.

December 14. To secure redress for wrong or trespass as to persons or property. Lost in hands of committee.

December 17. To change the boundary line between the counties of Russell and Barbour. Passed.

December 21. To legalize an election held in the county of Russell, on the 4th, 5th, 6th, 7th and 8th of February, 1868. Passed.

December 21. For the relief of debtors who have renewed old paper. Lost in the hands of committee.

December 28. In relation to the public printing of Russell county. Indefinitely postponed.



MORTON, Mr.—Introduced bills as follows :

December 21. To regulate the proceedings of the court of county commissioners of Tuskaloosa county. Lost in hands of committee.

December 23. To permanently locate the court house of Lawrence county. Passed.

OLIVER, Mr.—Introduced bills as follows :

November 30. To repeal section 655 of the Revised Code. Substitute offered but lost in hands of committee.

December 14. For the appointment of registers in chancery for each county. Lost in hands of committee.

December 17. To amend the caption and the first, second and third sections of an act entitled "An act to incorporate the Pioneer Petroleum Company." Passed December 21.

December 21. To regulate the pay per diem of the members of the General Assembly. Indefinitely postponed.

December 28. To amend section 1759 of the Revised Code. Passed.

PENNINGTON, Mr.—Introduced bills and joint resolutions as follows :

November 10. To repeal Ordinance No. 36 of the State Convention. Tabled November 12.

November 10. To allow judgments to be opened and grant new trials in certain cases. Lost by concurrence in adverse report, December 10.

November 10. To repeal an act to incorporate the schools at Loachapoka in Macon county, approved January 25, 1858. Passed December 7.

November 10. To procure a geological survey of the State of Alabama. Lost on a third reading, November 16.

November 12. For relief of Renben Trotter, and to make said Trotter, a free dealer. Passed December 10.

November 13. Relating to the Wills Valley Railroad Company, and the North East and South West Railroad Company. Passed November 16.

November 17. Joint resolution relating to joint committee to investigate outrages and acts of violence. Adopted.

November 21. For the relief of Rebecca A. Tinch of Lee county. Passed December 5.

November 21. For the protection of sheriffs and others. Passed December 18.

November 21. For the relief of William E. Jeffcoat of

Crenshaw county. Lost by concurrence in adverse report, December 15.

November 21. To alter and amend section 1410 of the Revised Code. Substitute adopted and passed December 10.

November 21. For the relief of Jerry A. Guy of Lee county. Passed.

November 21. To authorize the Governor to issue a patent to John G. Harris. Lost by concurrence in adverse report, December 28.

November 24. For the relief of Walter Ross and Wiley D. Ross of Lee county. Passed.

November 24. For the relief of Elizabeth G. Read of the county of Lee. Amended and passed December 8.

November 25. To regulate the keeping and maintenance of prisoners. Ordered to a second reading.

November 25. To amend an act to incorporate the Macon County Railroad Company. Lost by concurrence in adverse report.

November 25. For the relief of certain persons therein named. Ordered to a second reading.

November 25. To facilitate the trial of divorce suits in circuit courts. Lost by concurrence in adverse report, December 14.

November 28. Joint resolution to adjourn *sine die* on the 12th December, 1868. Tabled.

November 30. To regulate sales under mortgages. Lost in hands of committee.

November 30. To give the special term, December, 1868, circuit court of Macon county, the same force and effect in law as a regular term of said court. Passed December 9.

November 30. To authorize the commissioners court of Lee county to establish a charity hospital in Lee county. Ordered to second reading.

December 4. To authorize the court of county commissioners of the counties of Lee, Tallapoosa, Coosa, Talladega, Jefferson, Walker, Winston, Lawrence and Franklin to subscribe to the capital stock of the Savannah and Memphis Railroad, and for other purposes therein named. Substitute adopted. Amended and passed, December 19.

December 9. To amend an act to abolish fences in a portion of Montgomery county. Ordered to second reading.

December 9. For the relief of Joseph Lancaster, of Chambers county. Passed.

December 9. To authorize the commissioners court of Lee county to borrow money to build a court house. Passed.

December 9. To authorize Thomas A. Read of Lee county to practice medicine. Lost by concurrence in adverse report, December 14.

December 9. To repeal an act to amend the first section of an act to incorporate the town of Bluffton, in Chambers county, and to amend the first section thereof. Passed, December 10.

December 14. To amend section 2930 of the Revised Code. Lost in hands of committee.

December 14. To allow widows, orphans and others to test the validity of settlements, &c. Lost in hands of committee.

December 14. In relation to the New Orleans, Mobile and Chattanooga Railroad company. Lost in the hands of committee.

December 14. To authorize the corporators, their successors, or the trustees of the East Alabama Female College, to change the character of that institution to that of a military and scientific academy, and to establish a lottery. Lost in hands of select committee.

December 14. For the relief of McClung and Jacques. Indefinitely postponed, December 17.

December 14. Joint memorial relating to the removal of political disabilities. Tabled.

December 17. To amend section 3016 of the Revised Code. Lost in hands of committee.

December 17. To secure to every one liable now or hereafter to pay money in any form, except duties on imports levied by Congress, the right to pay the same in legal tender notes of the United States. Lost on third reading, December 22.

December 17. To form and establish a new county to be called "Grant." Substitute adopted, but lost, December 31.

December 17. To change the boundary line between the counties of Butler and Crenshaw. Substitute adopted, but lost, December 31.

December 17. To change the boundary line between the counties of Bullock and Montgomery. Substitute adopted, but lost, December 31.

December 17. To change the boundary line between the counties of Bullock and Barbour. Substitute adopted, but lost, December 31.

December 17. To change the boundary line between the counties of Macon and Bullock. Substitute adopted, but lost, December 31.

December 17. To change the boundary line between the counties of Tallapoosa and Macon. Substitute adopted, but lost, December 31.

December 31. To change the boundary line between the counties of Lowndes and Montgomery. Substitute adopted, but lost, December 31.

December 17. To aid the Montgomery and West Point Railroad. Substitute adopted for it, December 22.

December 17. Joint resolution to raise a joint committee to ascertain if frauds have been practiced, or attempted, on the Auditor by members, officers or attaches of the General Assembly, &c. Adopted.

December 17. To incorporate the East Alabama Mutual Life Insurance Company. Lost in hands of committee.

December 21. To authorize the retailing of spirituous liquors in Tallapoosa county. Lost by concurrence in adverse report, December 29.

December 21. To make Allen Kimble of Lee county, a citizen of Tallapoosa county. Lost in hands of committee.

December 21. Joint resolutions relating to the acquisition of West Florida. Passed.

December 28. To enable the judges of the circuit courts to dispose of all the business within the jurisdiction of said courts within the next twelve months. Passed, December 31.

December 31. Joint resolution to raise a joint committee to notify the Governor that the two houses of the General Assembly have agreed to adjourn *sine die* at 12 o'clock to-night. Adopted.

December 31. Joint resolution, providing that the two houses of the General Assembly adjourn *sine die* at 10 o'clock to-night. Adopted.

RICHARDS, Mr.—Introduced bills, as follows:

November 30. In relation to holding of lands in Alabama. Lost in hands of committee.

December 9. To repeal 4096 of the Revised Code, and to declare the duties of grand jurors and circuit judges. Lost by concurrence in adverse report, December 18.

December 9. For the removal of venue in certain cases. Lost in hands of committee.

December 9. For relief of sheriffs, clerks of circuit courts and judges of probate. Lost by concurrence in adverse report, December 18.

December 9. Joint resolution in relation to declaring mar-

tial law. Made special order for December 14, but not considered.

December 14. To register and pay claims against the county of Wilcox. Passed.

December 21. In relation to the appointment of receivers. Lost in hands of committee.

December 21. To authorize appeals from final decisions of chancery and circuit courts. Lost in hands of committee.

December 28. To provide for the disbursement of the school funds in the State of Alabama. Indefinitely postponed.

December 28. Reported a bill relating to certain lands in Nebraska, belonging to the State of Alabama. Tabled.

ROYAL, Mr.—Introduced bills, as follows :

November 10. In relation to appeals from justices' courts and from circuit courts. Amended and passed, November 17.

SANFORD, Mr.—Introduced bills as follows :

November 10. Supplementary to an act approved August 3d, 1868. Passed.

November 11. To empower the Governor to appoint a judge of the county court of Calhoun county. Amended and passed, November 13.

November 25. To repeal chapter 4, title 1, part 3, of the Revised Code. Passed December 14.

November 25. To repeal an Ordinance to abolish the county of Baine. Passed.

November 28. Reported a bill to make a new county from portions of Franklin and Lawrence, to be called Colbert. Lost in hands of committee.

December 3. For the relief of A. J. Applegate, Lieutenant Governor of Alabama. Passed.

December 4. To transfer the legal books and other papers belonging to the county formerly known as Baine, to the proper officers of the county of Etowah. Passed.

December 4. For the relief of John M. Moragne. Amended and passed, October 12.

December 9. To amend article 1, chapter 1, title 5 of the Revised Code. Tabled December 31.

December 14. To provide for the location of the court house of Barbour county. Tabled.

December 24. To vest the absolute title of certain lands therein named in the widow and children of Isaac L. Ward, deceased, late of Cherokee county. Passed.

December 28. To create a new county to be called Baker.

SEVIER, Mr.—Introduced bills, as follows:

November 10. To make Mrs. Mary Hollingsworth a free dealer. Ordered to a third reading.

November 21. To authorize the administratrix of the estate of Isaac Winston, deceased, to compromise with the debtors of the estate. Lost in hands of committee.

November 25. To organize the Northern chancery division of the State of Alabama, and to provide for holding the courts therein.

November 25. To regulate and establish legal proceedings in Franklin county. Passed December 1st.

November 25. To provide for obtaining divorce in court of probate. Indefinitely postponed, December 9.

November 30. For the relief of E. J. Oden, of Franklin county. Passed December 9.

December 14. To amend section 4425 of the Revised Code. Lost in hands of committee.

December 14. To prevent the unlawful taking of fruits and vegetables from the lands of owners and tenants, and for punishment of the same. Lost in hands of committee.

17. To repeal an act for the protection of bona fide purchasers for a valuable consideration. Lost in hands of committee.

SIBLEY, Mr.—Introduced bills as follows:

November 10. To make the separate estates of married women liable in certain cases. Amended and passed, December 5.

November 10. To repeal sections 446, 447 and 448, and paragraph 1 of section 556 of the Revised Code. Lost in hands of committee.

November 10. For the relief of the poor of this State. Passed November 14.

November 10. To punish the usurpation of official powers. Lost by concurrence in adverse report, November 27.

November 10. To provide fuel and lights for public offices and jails in the several counties of this State. Amended and passed, November 27.

November 16. To amend the charter of the city of Huntsville. Passed November 27.

November 21. To repeal section 2372 of the Revised Code. Lost by concurrence in adverse report, December 10.

November 21. To authorize the commissioners courts of

Lowndes and Choctaw counties to levy an additional tax. Passed.

November 21. For the protection of the people of Alabama. Lost in hands of committee.

November 21. To secure mileage to sheriffs and other officers. Lost in hands of committee.

November 30. To provide for the payment of officers of election. Lost in hands of committee.

November 30. To authorize the mayor and aldermen of the city of Huntsville to levy a special tax. Passed.

December 14. To authorize the Memphis and Charleston Railroad Company to construct branch roads by the increase of its capital stock. Amended and passed, December 16.

December 14. To authorize the Memphis and Charleston Railroad Company to issue bonds secured by mortgage for the construction of branch roads. Passed December 16.

December 14. To establish a city court of Huntsville. Substitute adopted and passed, December 22.

December 14. To amend sections 2925 and 4031 of the Revised Code. Lost in hands of committee.

December 17. For the relief of Reddin Garrison, of Winston county. Passed.

December 17. Supplementary to an act to provide for hospital patients of Talladega. Ordered to second reading.

December 21. To authorize religious societies to provide security by deed of trust or mortgage for the payment of debts. Passed December 26.

December 21. To provide for the payment of tales jurors in certain cases. Lost in hands of committee.

December 21. To amend section 4332 of the Revised Code. Lost in hands of committee.

December 28. Supplementary to an act to establish revenue laws for the State of Alabama. Amended and passed.

STOW, Mr.—Introduced bills as follows:

November 10. To make an appropriation for the survey of the Cahaba river. Lost by concurrence in adverse report, November 14.

November 12. For the relief of A. H. & M. L. Moses. Tabled November 17.

November 16. To amend an act approved October 10, 1868. Lost by concurrence in adverse report, December 14.

November 16. To legalize the appointment of tax collector of Montgomery county. Lost in hands of committee.

November 21. For the relief of the minor heirs and dis-

tributees of Thomas M. Cowles, deceased. Lost by concurrence in adverse report, December 10.

November 25. To amend an act to incorporate the Mountain Railroad Contracting Company. Passed.

November 25. To amend an act entitled an act to incorporate the South and North Alabama Railroad Company. Passed.

November 25. To amend section 3525 of the Revised Code, so far as relates to commissions on sales made by registers in chancery. Indefinitely postponed, December 9.

November 25. For the relief of John R. Baldrick and Francis M. Barrett of Montgomery county. Passed.

November 25. To continue to the Western Railroad Company the benefit of an act directing the delivering to the Western Railroad Company a certain bond given to the State of Alabama by the Alabama and Mississippi River Railroad Company, for a portion of the two per cent fund. Passed December 4.

November 30. To amend an act therein named. Passed December 12.

December 14. For the relief of W. J. Chancey, administrator. Lost in hands of committee.

December 17. To relieve William D. Galloway of Montgomery county. Lost in hands of committee.

December 17. For the relief of Martha Freney, wife of Dr. James Freney, of Mount Meigs, Montgomery county. Lost in hands of committee.

December 17. To authorize the probate court of Montgomery county to issue letters of administration on the estate of Calvin Reynolds, deceased, late of Bullock county. Lost in hands of committee.

December 28. To incorporate the town of Dublin, in Montgomery county. Passed.

December 28. For the relief of John W. Shepherd, reporter of the Supreme Court. Passed.

December 28. Supplementary to an act to establish revenue laws for the State of Alabama. Passed.

December 28. Supplemental to an act to establish revenue laws for the State of Alabama. Lost on the third reading.

WHITNEY, Mr.—Introduced bills as follows :

November 10. For the relief of Turner Wood and Henry Sanders of Jackson county. Amended and passed, December 29.



November 10. For the protection of agricultural laborers. Amended and passed, December 7.

November 12. Declaring null and void certain acts. Lost by concurrence in adverse report, November 16.

November 16. For the relief of William Stringer, administrator of the estate of William A. Oden. Adverse report concurred in, December 10. Reconsidered and passed, December 11.

November 21. For the relief of Preston Woolly of Jackson county. Indefinitely postponed, December 29.

November 25. To amend the revenue laws of Alabama. Tabled December 8.

December 4. For the relief of Robert T. Scott, Jr., of Jackson county. Ordered to a second reading.

December 4. To amend an act for the relief of Lawson C. Coulson, late probate judge of Jackson county, &c. Passed December 29.

December 4. To legalize the marriage between Reuben J. Wilson and Rufina Wilson, of Jackson county. Lost on third reading, December 29.

December 4. For the relief of C. P. Simmons of Franklin county. Ordered to second reading.

December 4. Concerning prisoners confined in the county jails of this State. Ordered to second reading.

December 4. To make Judith May Scott, of Jackson county, a free-dealer. Ordered to second reading.

December 4. To open judgments or decrees for money rendered by any of the courts of this State, when the cause of action existed prior to May 25th, 1865. Lost by concurrence in adverse report, December 14. Ordered to 3d reading December 16.

December 7. Reported a bill for the relief of Isaac W. Sullivan. Passed.

December 9. Amend section 3076 of the Revised Code. Lost by concurrence in adverse report, December 14.

December 9. Joint resolution in relation to joint committee to visit the public institutions of the State. Adopted.

December 9. To incorporate the town of Scottsboro, in Jackson county. Passed December 12.

December 14. To provide compensation for carrying the journals of the General Assembly, and the acts, and reading proof of same. Passed December 18.

December 21. For the relief of Henry L. Taylor, late marshal of the Supreme Court and State Librarian. Lost in hands of committee.

December 21. To allow John Whitfield, of Jackson county, to take one-sixth toll for grinding corn. Passed.

December 28. To repeal an act to appoint an additional surveyor for the county of Jackson. Passed.

WISE, Mr.—Introduced bills, as follows :

November 16. To amend section 2593 of the Revised Code. Lost by concurrence in adverse report, December 10.

November 21. For the relief of William J. Mayo, of Chambers county. Lost by concurrence in adverse report, December 14.

November 21. To authorize the court of county commissioners of Cleburne county to issue county treasury notes. Lost by concurrence in adverse report, December 14.

November 21. To compel the attendance of witnesses in criminal prosecutions. Lost in hands of committee.

November 25. To repeal section 4096 of the Revised Code. Lost in hands of committee.

November 25. To repeal section 437, paragraph 13 and 14 of the Revised Code. Lost in the hands of committee.

December 9. To authorize the commissioners court of Cleburne county to levy a special tax. Passed.

December 9. To repeal an act to regulate the fees of grand jurors and witnesses in the county of Chambers. Passed.

WORTHY, Mr.—Introduced bills and joint resolutions, as follows :

November 11. For the relief of Helen M. Brady, of Blount county. Lost by concurrence in adverse report, November 13.

November 11. For the relief of J. B. Billingsley, of Blount county. Lost by concurrence in adverse report, November 13.

November 20. For the relief of W. C. Wood, of Pike county, and T. P. Cottle, of Covington county. Passed.

November 25. To open judgments and grant new trials in certain cases. Lost by concurrence in adverse report, December 10.

November 30. Reported joint resolutions for the preservation of the capitol, and the public property connected therewith. Passed.

November 30. For the relief of the minor heirs of M. A. Baldwin, deceased. Passed.

November 30. To repeal sections 2281 and 2282 of the Revised Code. Lost in hands of committee.

December 4. To change the time of holding the circuit courts of the 6th judicial circuit. Passed.

December 9. For the relief of Archibald C. McIntyre. Passed December 29.

December 14. To incorporate the town of Briar Hill, in Pike county. Passed.

December 21. To incorporate the trustees of Spring Hill Baptist Church and Spring Hill Academy, in Pike county. Passed.

December 21. To repeal sections 2281 and 2283 of the Revised Code. Lost in hands of committee.

December 21. To amend section 10 of an act to incorporate the Vicksburg and Brunswick Railroad Company. Passed.

December 22. For the relief of James Rhodes. Passed.

December 24. In relation to the three per cent fund. Passed.

December 28. To provide for setting aside sales of property made since the adoption by the late constitutional convention of "An Ordinance to stay the collection of debts." Passed.

WYMAN, Mr.—Introduced bills as follows :

November 10. To extend the provisions of an Ordinance to stay the collection of debts. Substitute reported, November 14; passed December 8.

November 11. To amend section 4094 of the Revised Code and for other purposes. Lost in hands of committee.

November 12. To create a new county of portions of Dallas, Marengo, Perry and Wilcox counties, to be called the county of Chillatchie. Passed December 7.

November 25. To authorize the county commissioners of Perry county to assess a special tax. Passed December 8.

December 4. To repeal sections 2876 and 2877 of the Revised Code. Lost by concurrence in adverse report, December 18.

December 9. To allow the settlement of the estate of Meason Ware, deceased, late of Sumter county, to be made in the court of probate of Perry county. Passed.

December 28. To amend the charter of the town of Uniontown. Passed.

YORDY, Mr.—Introduced bills, as follows :

November 11. For the relief of Jerome C. Thompson, of Choctaw county. Passed.

November 11. To repeal an act to incorporate the Tuska-loosa Scientific and Art Association, &c., approved February 3, 1866. Tabled.

November 12. To enable certain officers to collect their fees. Indefinitely postponed, December 18.

November 25. To authorize Attoway R. Davis, general administrator of Greene county, to appear in the probate court and make settlement of all estates wherein he was either administrator or executor. Passed, December 15.

December 4. To amend section 1293 of the Revised Code. Lost in hands of committee.

December 9. To provide for the payment of the interest on the school fund. Lost in hands of committee.

December 14. To remove the administration of the estate of David Blackshire. Lost in hands of committee.

December 14. For the protection of holders of insurance policies in this State. Lost in hands of committee.

December 14. For the organization and government of the volunteer militia. Lost in hands of committee.

December 17. Petition of Thomas S. Rhynes, late tax collector of Sumter county. Referred.

December 21. To provide for the apprenticing of minors and defining the relative duties of master and apprentice. Lost in hands of committee.

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